



April 13

CONCORDIA UNIVERSITY
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THE RECORDS OF THE VIRGINIA COMPANY



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WITHDRAWN

Memorandum for our Edward Waterhouse and Edward
Allington Secretaries of his Companies for Virginia and his
Honour James your Honour and compared by Books spring 6. from
writing one hundred, sixty, seven Leaves from Page 1. to Page 354.
with the original Book of Quarts it self: And doe finde his Book to be
a true and perfect copie of his said original Book. Saving that
there is some wanting in his copie ~~the~~ ^{the} twenty ^{the} 20th of May 1620
being the beginning of the said year as farre as is his said in his copie,
doe exactly agree with the original it self. And to every Page
of Edward Allington your said my hand, and date of sd do. Given
in this at about this it is a true copie. / Jan. 20 1623.

Ed. Waterhouse & son
Ed. Allington sent

I. Certification of Volume I of the Original Manuscript

THE RECORDS OF
THE VIRGINIA COMPANY OF
LONDON

THE COURT BOOK
VOLUME I

LIBRARY OF CONGRESS

The Records of The Virginia Company of London

THE COURT BOOK, FROM THE MANUSCRIPT
IN THE LIBRARY OF CONGRESS

EDITED

WITH AN INTRODUCTION AND BIBLIOGRAPHY, BY

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Note

In my report for 1904 I gave the reasons in favor of the printing by the Library of this and of similar unpublished manuscript records in its possession. It would save excessive wear and tear upon the originals; it would enable the texts to be studied by investigators who can not come to Washington; and it would encourage that thorough, detailed, and continuing study of them which their value and interest and a proper understanding of American history require. These reasons apply with peculiar force to the Records of the Virginia Company, unique in themselves and unique of their kind, and an additional one, in their case influential; that publication would make them available to persons who would not master the difficult chirography of the original.

Their history is fully told in the Introduction by Miss Kingsbury, and their importance as a document emphasized in the Preface by Professor Osgood. Previous efforts to secure their publication *in extenso* had not been successful. The present one originated in a proposal by Professor Osgood in behalf of the Public Archives Commission of the American Historical Association to edit them as a contribution to one of the Annual Reports of the Association; and although the work as issued is an independent publication of the Library, it has had the benefit of his expert counsel. It was at his instance also that Miss Kingsbury, then a graduate student in his department at Columbia, began the undertaking which she has so well accomplished, and which has consisted (1) in a complete transcript of the text itself; (2) in a close study not merely of this but of the numerous collateral and subsidiary documents both here and abroad; (3) in the preparation of the Introduction, Notes, Bibliography, and Index; and (4) in aid upon the proof. The proof has also, however, been read word for word with the original text, and revised by the Chief of the Division of Manuscripts, with the excellent assistance of Miss Minnie V. Stinson of that Division.

HERBERT PUTNAM

Librarian of Congress

WORTHINGTON CHAUNCEY FORD

Chief, Division of Manuscripts

Preface

The records, and especially the Court Book, of the Virginia Company of London have long been regarded as among the most precious manuscript treasures which have found a lodgment within the United States. Not only is their inherent value as an historical source very great, as has been explained by the editor in her introduction, but a sentimental value also attaches to them. This has a twofold origin. It arises, in the first place, from the fact that they belong at once to the romantic period of our own beginnings and to the heroic period of England's great struggle against absolutism. The men who figure in the pages of this record were at the same time playing their parts, on the one side or the other, in the controversies which were then beginning with James I, and which were to broaden and deepen under his son till England was plunged into the agonies of the great civil war. They were contemporaries, and in not a few cases associates, of Coke and Eliot and Hampden, of Bacon and Wentworth and Buckingham. The names of Sandys and the Ferrars stand high on the roll of patriots by which the first generation of the Stuart period is distinguished. These same men also, together with a long list of the merchants and nobles of the time, were deeply interested in discovery and colonization. As successors of Gilbert and Raleigh they were planting a new England beyond the Atlantic. About this enterprise still clung some of the spirit and memories of the Elizabethan seamen and their early struggles with Spain. In the days when Smythe and Sandys were active the prosaic age of English colonization had not yet begun. The glamour of romance, of the heroic, attaches to the founding of Virginia and Plymouth, and makes them fit subjects for the poet. By the time when the other colonies were founded the glow and inspiration had grown faint or wholly disappeared. In the Records of the Virginia Company some reflection may be seen of this early zeal, of the plans and ideals to which it gave rise. Even their pages, cast in a style which is quite unusual in records of this nature, make one realize that he is in the company of noble and earnest spirits, men who were conscious that they were engaged in a great enterprise. The Court Book itself, now that it is printed in full, will be found to be a worthy monument of English speech, as it was used at the close of the Elizabethan epoch and by contemporaries of Shakespeare and Bacon.

The fate which probably befell the original of this record, and the unusual steps which it became necessary to take in order to secure and preserve a copy, were natural consequences of the struggles of the time, and add still further to the interest of

the text as we now possess it. Miss Kingsbury, by her use of the Ferrar papers, has been able to establish by the clearest proof the connection of Nicholas Ferrar with the transcription, and in many other ways she has added definiteness to the accounts usually given of the origin and preservation of the record as we now possess it. The transfer of the copy of the Court Book to Virginia and its transmission from hand to hand till, through the medium of Thomas Jefferson's library, it finally passed into the possession of Congress fittingly concludes the remarkable history of the preservation of this manuscript.

The high estimate which has been placed on its value is evidenced not only by the use that has been made of it by historians, but by the long-continued efforts which have been made to secure its publication. In 1858 Mr. J. Wingate Thornton, in an article in the "*Historical Magazine*," explained the nature of the Court Book, told how it had been preserved, and insisted upon the importance of its being published. "As these volumes are of national rather than of local interest," said he, "reaching back to the very foundation of the English companies for colonizing America; as they have escaped the chances and mishaps of two centuries, on either side of the Atlantic, . . . and as Providence has now placed them in the keeping of our National Congress, is it not our national duty to have them appropriately edited and published?" The following year Mr. Thornton published a pamphlet in Boston, in which he outlined the history of the manuscript and again raised the question of its publication. But soon the Civil War came on, and plans of that kind, especially so far as they related to southern history, had to be postponed.

But in 1868, three years after the close of the war, Mr. Edward D. Neill presented a memorial to Congress, in which he dwelt on the neglect by historians of these most valuable manuscripts. He stated that, while preparing his book entitled "*Terra Mariae*," he had familiarized himself with the chirography of the records. He now offered to undertake their editing without compensation, if he might be furnished with two copyists for a limited time and be allowed a small sum for stationery and contingent expenses. But this offer met with no response, and Mr. Neill was forced to content himself with the publication of extracts from the manuscript in his "*History of the Virginia Company of London*" (Albany, 1869).

In March, 1877, Mr. Robert A. Brock, of the Virginia Historical Society, published in the "*Richmond Daily Dispatch*" a "*Plea for the Publication of the Records of the Virginia Company*." In 1881 Senator John W. Johnston, of Virginia, introduced into Congress a bill which was intended to provide for the publication of the records. This passed the Senate, but failed in the House.

During three successive sessions between the years 1885 and 1888 Dr. J. Franklin Jameson applied to the Library Committee of Congress for permission to edit and publish the records without expense to the Government. His plan was to obtain a sufficient number of subscribers to justify the issue of the volumes by a private firm and to meet the cost of the sale. Another suggestion which he also made was the appointment of a commission which should concern itself with the publishing of

historical material in the possession of Congress. While occupied with this matter Dr. Jameson explained the history and value of the records to the Rhode Island Historical Society, and his address was reviewed in the "Magazine of American History" (vol. 21, January-June, 1889, p. 82).

But meantime some progress had been made with the actual printing of the Court Book. Mr. Conway Robinson had made copious extracts from it, especially of the documentary material which is contained in the second volume. His extracts the Virginia Historical Society published in 1889, under the editorship of Mr. R. A. Brock. Until the present time this edition, in two volumes, has served the purpose of most students. But the requirements of historical study in this country have now reached a point where more complete and critical editions of the sources are needed than have been common in the past. If this need was to be met, it became at once apparent that no body of records was better adapted for a beginning than those which related to the Virginia Company of London. In date and subject matter they stand at the very threshold of American history. In character they form a distinct and unique group of material. By the issue of a definitive edition of these records the demand which scholars have so long made for their publication would be met and satisfied. It was under the influence of considerations like these that the present work was undertaken.

In the preparation of this body of records for the press critical accuracy and helpfulness have been sought in all possible ways. The spelling of the original has been carefully preserved throughout, for in editing a source of this character and importance any attempt to modernize the text would be properly regarded as unjustifiable. Not only has the spelling been preserved, but also the signs and abbreviations which abound, the use of which the men of the period had inherited from still earlier times. So far as such a thing is possible in print, the text is exactly reproduced in these volumes, while an added element of reality is supplied by the photographs of specimen pages of the original manuscript.

Brief notes have been added where it was necessary to explain or call attention to obscurities, omissions, or other irregularities in the text, the purpose being to enable the reader to gain information of this kind from the printed page with the same certainty as if he were using the manuscript. In the notes, cross references have also been given to the documents of the company and to its publications, when they have been found to reproduce, or to illustrate and make more definite, the statements which are contained in the Court Book. In citations of this kind the number of each document is given as it appears in the List of Records in the Introduction. In this way the unity of the records of the company as a whole receives illustration, and the investigator will be aided in any effort which he may make to learn all which they have to reveal in reference to any subject. Finally, the index completes the invaluable service which Miss Kingsbury has rendered in the editorship of the work.

HERBERT L. OSGOOD

COLUMBIA UNIVERSITY

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1. The Character of the Company

The individual effort which had revealed itself at the close of the medieval period in other phases of the economic development and in the military history of the past quarter century was especially prominent in the movement in 1606 for a society of adventurers to trade in Virginia. The commercial advance had been due chiefly to private enterprise, and the naval expeditions into the West Indies against the Spanish had been fitted out and prosecuted by such adventurous spirits as Sir Francis Drake, while the zeal for exploration and for gold, which inspired John and Sebastian Cabot to search for a passage to Cathay and the East Indies in 1497, led Sir Humphrey Gilbert and Sir Walter Raleigh a century later to seek out the resources of the lands from Florida to Newfoundland. It is the same spirit of adventure which inspired the narratives of John Smith and Henry Spelman as they told of their relations with the Indians of America. But it is in the progress of both the commercial and the political life of England that the Virginia Company is important. For the plantation founded and nourished by a private concern as an enterprise purely for gain was the social cause from which developed the colony as a form of government. Its political organization is seen in its relations to the Crown, of which there were two distinct phases. During the first three years it was distinctly a creature of the King, the affairs of which were conducted by the King through a council created by himself and responsible to himself, while to the investors were left the privileges of raising the funds, furnishing the supplies, and sending out the expeditions. It was a modification of this form of management to which the government reverted after the dissolution of the Company in 1624, and again at the end of the century when royal colonies were substituted for proprietary and corporate forms throughout America. In the second phase the undertakers became distinctly proprietary, retaining the commercial responsibilities, but assuming governmental functions in place of the King.

A comparison between the royal grants for discovery in the sixteenth century and those of the Virginia Company shows that there was an increase in the direct territorial relations between King and subject, a limitation upon monopoly

of trade, and a tendency on the part of the Crown to retain directly or indirectly the powers of government. Thus, in the letters patent to Richard Warde, Thomas Ashehurst, and associates in 1501,^a to Sir Humphrey Gilbert in 1578, and to Sir Walter Raleigh in 1584,^b the Crown conferred proprietorship of land with the right to grant it out in fee simple at will. But in 1606 the land was held by the undertakers, and again in 1609 by the adventurers and planters in free and common socage, as of the manor of Greenwich of the county of Kent. Under the first Virginia charter it was granted by the King to those approved by the council; under the second, by the members of the company to anyone who should have adventured a certain sum of money or his person. The fief, distinctly so called in the early charters, for which homage was to be rendered, with no service, however, save that of one-fifth of the gold and silver gained, had disappeared; and the only direct feudal relation with the King which remained arose from the requirement of a per cent of the precious metals. The monopoly of trade by which Warde, Gilbert, and Raleigh were allowed to seize and detain any one who trafficked within two hundred leagues of a settlement was altered in 1606 so that the planters had only the right of collecting a tax from such interlopers. The rights of government which had been surrendered absolutely to the grantees in the sixteenth century charters were reserved to the King by the letters patent of 1606 to be exercised through the council. In 1609 these powers were conferred on the company as an open body, it must be remembered, and thus differed from the earlier grants and from the later proprietary grants to Lord Baltimore or to William Penn.

Although the charter emphasizes the government of the plantation, the Virginia Company was purely a commercial enterprise conducted by a private concern, even before the charter of 1609, as is shown by the history of its early years. It was backed by the patronage of the King, but only for the purpose of advancing the trade of the Kingdom in foreign parts and saving the Crown from expense and responsibility, as had been the policy in regard to the other trading companies. Nevertheless, it was a step toward colonial expansion, for, as has well been said, "the explorer is potentially a colonizer," and the army of laborers on the plantation became in time an army of free tenants in a colony.^c While in the spirit of its commercial life the company was closely allied to the efforts for exploration and search for gold, morally supported by Elizabeth in her feudal grants, in its organization, as well as in its purpose, it resembled the private companies for trade based on ancient charters, and in its development is to be understood only through a knowledge of both of these earlier movements.

^a Biddle, *Cabot*, Appendix, pp. 312, 314, for this charter.

^b Hakluyt, *Principal Navigations*, VIII, 17-23, 289-296.

^c Osgood, H. L., *The American Colonies in the 17th Century*, I, 83.

Thus in order to protect trade, but not for exploration and settlement, the ancient charters granted to the Merchant Adventurers in 1407 and 1462, and particularly the one of 1564, incorporated that company into a "Body Politick." The words of the grant declared its purpose to be "for the good Government, Rule and Order of the * * * Fellowship of Merchants Adventurers * * *. As also of all and every other of the subject of our heirs * * * using the seate of Trade of the said Merchants Adventurers * * *." ^a This was also the object expressed in the charter to the East India Company, ^b although it contained an additional provision for the acquisition of lands by purchase. Monopoly of trade and powers of government over factors, masters, or others in the employ of the company were conferred, but the exemption from customs was to continue for only four years, and the only settlements provided for were to have the form of factories. It had been established as a regulated company, that is, one in which each individual invested his own capital subject to the rules of the company; but in 1612 by increasing the importance of the directors and investing sums for a limited period it became a joint stock company. ^c

As a prototype of the companies later incorporated both for discovery and trade, such as the Virginia Company, the Muscovy or Russian Company, known as the "Merchant Adventurers of England for the discoveries of lands and territories unknown," was established in 1555 with a joint stock of £6,000. Sebastian Cabot was appointed governor for life and with him was associated a board of directors of 4 consuls and 24 assistants. However, this company had also the rights of the companies for exploration—that is, those of conquest, of acquiring lands, and of seizing the ships of any who should infringe on their monopoly of trade. ^d In 1583 a committee from the Muscovy merchants drew up a set of resolutions concerning a conference with M. Carlile upon his "intended discoverie and attempt into the hithermost parts of America," ^e which was not dissimilar to the plan of Sir Walter Raleigh, and hence foreshadowed companies of the seventeenth century. It proposed to send forth 100 men for one year, providing £4,000 for the adventure, in order to gain a "knowledge of the particular estate of the country and gather what commodity

^a Lingelbach, *The Merchant Adventurers of England*, 218–236 for extracts from the charters. The first two are published in Rymer, *Foedera*, and Hakluyt.

^b *East India Company, Charters*.

^c Cunningham, W., *The Growth of English Industry and Commerce in Modern Times* (edition of 1903), Part I, ch. VI, sec. VII.

^d See the patent in Hakluyt, II, 304–316. For full citation of the titles of printed works referred to in the notes, see the Bibliography, p. 212, *post*.

^e See "Articles set down by the Committees appointed in behalfe of the Company of Muscovian Marchants to conferre with M. Carlile, upon his intended discoverie and attempt into the hithermost parts of America," printed in Hakluyt, VIII, 147–150.

may hereafter be looked for." Also, like the Virginia Company, it provided for a joint stock consisting of two groups, one of "adventurers" and one of "enterprisers," each to have one-half of the lands which should be divided among the members by the generality, but all trade was to belong to the adventurers and the corporation was to be closed after the first adventure. The scheme differed from the sixteenth century enterprises, which were especially intended for exploration, in that no question of government was considered, but it conformed to the ideas of Gilbert and Raleigh and of the trading companies, in that its rights over trade were to be purely monopolistic.

Apparently this plan of the Muscovy Company stands as a connecting link between the ideas of the explorer and those of the trader and the planter, a plan which may be said to have been carried out by the Virginia Company. It is significant that many of the members of the Virginia Company were men who had taken part in the expeditions of the late sixteenth century and had been interested in certain private voyages of exploration carried on during the five years preceding the receipt of its first charter, while most of the leaders of this company were at the same time stockholders and even officers in the Muscovy Company, the Company of Merchant Adventurers, the East India Company, and later of the Turkey, the Guinea, and the African companies.

It is unnecessary to cite the charters of other companies or to search the history of the trading corporations of the sixteenth century in order to show that the Virginia Company was similar in character. But, like the Muscovy Company and the East India Company, it was established to carry on trade in new and uninhabited lands, and hence had the additional features of a company whose purpose was exploration and plantation. The latter characteristic appears more especially in the charter, the former in the instructions and correspondence of the entire period of its life. The object of its first undertakers was doubtless to search for minerals and for a route to the southwest, and to secure for trade the materials which were native and peculiar to those regions. The plantation was a necessity for this purpose, and incidentally, because of the character of the country, it was forced to become a colony. To establish a settlement which should become a market for English goods, to advance the shipping, to spread the religion of the Kingdom were doubtless motives which aroused sympathy for the undertaking; but the arguments which brought investment were the opportunities for gain.

The position of the Virginia Company in the development of English exploration and trade was therefore important, and the study of its history is of value not only for the light which it throws on Virginia itself but for an understanding of the economic condition of England as well. Nor is this all. The few private records which remain of the Merchant Adventurers Company and those of the East India

Company correspond so closely in form and in subject-matter to the court book of the Virginia Company that the similarity in form of organization and methods of conducting business is established. The fact that the private records, the books from which the knowledge of the actual financial transactions could be obtained, are missing in most cases, may prove that their loss in the case of the early Virginia Company is not due to intentional destruction, but to the general opinion of the period that such material was valueless.

The only other enterprise of which there is sufficient material for anything like an exhaustive study is the East India Company, and hence its records combine with those of the Virginia Company to supply a source of information concerning all of these companies. The conclusion seems valid, therefore, that the great mass of minutes, orders, instructions, letters, and memoranda of the company for Virginia will aid in the interpretation of the comparatively few records of the earlier associations. The records of this company are necessary to enable one to comprehend the life of the other companies, as is its history to the understanding of their development.

It was during the life of the company that the plantation gradually assumed the aspects of a colony, that the settlement which was originally planned for exploration and the discovery of gold became a center for the development of the natural and agricultural resources of the surrounding country. The origin within the colony of the assembly, of local government, of private ownership of land, and of freedom of trade is to be found before the dissolution of the company by the Crown. Therefore the records of the company, as well as those of the colony, form the material through which the history of the beginnings of English colonies, viewed from the standpoint of the colonist, is to be gained.

Their value for the comprehension of the development of political institutions in England is not so patent. The growing correspondence between the Crown and the company and the interference in the acts of the company stand as evidence of the gradual increase of the interest of the Crown or its council in the undertaking. This interest was most apparent when the tobacco trade promised a revenue to the Crown, but the encouragement of the growth of other staple products, the spasmodic revival of acts touching English shipping and the balance of trade, and the maintenance of staple ports in England are all new activities appearing in the records of the company. Throughout, also, is apparent the readiness to allow the already uncertain economic policy to be altered or nullified by the political relations with Spain, or because of moral or whimsical views.

The gradual definition of policy on the part of the Stuarts, perhaps first apparent under Charles I, is closely connected with the leaders of the Virginia Company. The opinions expressed in the courts of the company by the adherents both of the Puritan party and of the party of the Crown, the correspondence between the Privy Council

and the company, the letters and memoranda concerning the company and its policy, and the story of the formation of the Sandys and the Warwick factions, resulting in the dissolution of the company, furnish evidence of the gradual development of the despotic attitude of the Stuarts, especially in their reach for revenue and in their repression of the principles of freedom. The appointment of the commissions to investigate the affairs of the company and the condition of the colony, the creation of a commission for the control of the colony after the overthrow of the charter, the later appointment of a committee of the Privy Council for the same purpose are all steps in the growth of a colonial system and of a colonial policy. Although the maturity of this system and policy is not reached until after the Commonwealth, the influence of the associates of James I and of Charles I is apparent.

Every phase of colonial development, from the mixed system which existed under the patent of 1606 to the chartered proprietary company after 1609 and the royal province after 1624, is here illustrated. The transition from the chartered to the Royal Government in 1624, the prelude to "the most important transition in American history previous to the colonial revolt," is only to be understood from these records, since the tendency to self-government in the colony is one of the pretended reasons for the overthrow of the company. All the steps of the change are to be traced in the royal correspondence, in the memoranda of the royal party, and in the record of the suit under the writ of *quo warranto*. The significance of such material is best understood from the fact that "the constitutional law and practice of the old colonial system has not yet been attempted to be known," and as yet no book has been written concerning the forms or functions of the British Government as employed in colonial administration.

2. The Records of the Company under Sir Thomas Smythe

THE ORGANIZATION OF THE COMPANY AS IN 1606

In the year preceding the grant of a charter to the Virginia Company there had been movements along two lines for establishing plantations in Virginia, one by private investment and the other by royal patronage. Examples of the private interests are the enterprise of the Earl of Southampton in 1605 and that of Lord Zouch as set forth in his contract^a with Captain George Waymouth of October 30, 1605. In this Lord Zouch agreed to secure and provide two ships and 200 men of "arts suitable for a colony," and to pay £100 to Captain Waymouth for the transportation of the same. The interesting feature is the agreement, suggestive of feudal relations, that Lord Zouch should be the first officer and have the first choice of land, while Captain Waymouth as second officer should have second choice of land, which he was to hold from the former as lord paramount for himself, his heirs and assigns. At the same time Sir John Popham was busily engaged in the attempt to form royal colonies by obtaining charters from the Crown, whereby the territory from 34° to 45° north latitude should be taken under the protection of the King, and private settlements should thus be excluded.

The plan which obtained followed neither course, though it was bound to result in a modification of Popham's scheme. The motives of the grantees and the arguments which induced the King in 1606 to abandon the policy of Elizabeth and to give royal patronage to the undertaking, and even to assume royal control, are set forth in a petition presented to Parliament in 1606, entitled "Reasons for raising a publique stocke to be imploied in the discovering of such countries as may be found most convenient * * * ." ^b It is evident, however, that the unknown plan of investment in the adventure of 1606 is not here suggested, since there was no intimation of financial support by the King. The stock was apparently to be raised by a tax "Upon the emoderate gaines of those that contrary to lawe abuse the poore," and was not in any way to be "raised upon the sweat of the poore or the industrie of the

^aPrinted in full in Brown, *Genesis of the United States*, I, 33-35.

^bPrinted in full, Brown, *Genesis*, I, 36-42.

husbandmen, Artificer, or tradisman," but in such a way that nothing should "be demanded from anie man without presente assurance of gaine and hope of future profit * * * but in such sorte that the payer shall for every ij^d paied gaine iiij^d." To the Kingdom and to the Crown were to redound the greatest gain. Ten thousand pounds a year were to be added to His Majesty's receipts by an increase of many thousand pounds in the imposts and customs; and furthermore it "would savior too much of affectacon of a popular State to levie monies without imparting some convenient portion to his Majestie." But the value to shipping was emphasized perhaps more vigorously as developing a defence to the island, as furnishing a source for the necessities for ships—cordage, pitch, tar, and resin—and as protecting the shipping from decay. The desirability of a revival of the declining export trade, as well as that of establishing the importation of necessities from a part of the dominions, though distant, was urged, together with the importance of strengthening by settlement those countries already acquired by discovery. That such undertakings by private enterprise had been failures; that it was more honorable for the State to back an exploitation by public consent than by private monopoly; that public colonies were bound to be more obedient and industrious because of the greater confidence in the character of the control, were all reasons which had long before been set forth whereby to gain the support of the Crown.

CHARTER OF 1606.

The royal aid as finally obtained for a colonial enterprise came in a somewhat different form. The letters patent to Sir Thomas Gates and others for plantations to be made in Virginia^a show that the investment was made solely by individuals, and that the joint stock was not public, although in the regulation of affairs in the colony the body of undertakers was to have little influence, even as far as its commercial interests in the plantation were concerned. The business management was left to the joint stock companies, and the magazine was controlled by a treasurer or cape merchant and by two clerks elected by the President and Council in the Colony. In fact, the only activity of the adventurers, so far as it is revealed in the extant documents, consisted in the choice in London of one or more groups of agents, called "companies," to manage the goods sent out and received and to look after the profits.^b The undertakers were to have all lands with their resources

^a For a reprint of the letters patent, see Brown, *Genesis*, I, 52-62, or Poore's *Constitutions*.

^b *Articles, Instructions and Orders for the government of the Colonies*, November 20, 1606. Reprinted in Brown, *Genesis*, I, 64-75, from a manuscript record book in the register's office of Virginia. There is a manuscript copy in the Library of Congress, in the *Virginia Miscellaneous Records, 1606-1692*, pp. 25-33.

which lay within 50 miles of the plantation in any direction, together with the islands within 100 miles of the coast, and were privileged to inhabit and fortify the same according as the council for Virginia should direct. The right freely to transport subjects was granted the investors, while they were permitted customs free for seven years to export armor, provisions, and all necessities of life for the colonists. They could impose upon any subjects of the Crown, who were not adventurers, trafficking in those regions, a tax of 2½ per cent of the articles concerned, and upon foreigners twice that amount, and thus maintain a control of the trade for twenty-one years.

But the government of the colonies and of the territory of Virginia was reserved to the Crown through the council of thirteen for Virginia, which was to be appointed by the King and to reside in England. Instructions^a were issued and signed by the royal hand, which outlined the form of administering affairs in the settlement and created a council of thirteen in the colony. They conferred upon it the right to coin money and to pass ordinances which should be valid till altered by the Crown, provided that they should be consonant with the laws of England. This council in Virginia was to choose its own president for one year. It could remove him or any member for just cause and fill the vacancies. All civil causes and all lesser criminal cases were to be decided by the president and council, the former having two votes in case of a tie. Cases of manslaughter and the more heinous crimes were to be tried before a jury and were punishable with death. To the president and council was reserved the right of pardon.

The council in England nominated to the Crown the persons to whom lands were to be granted by the King. It had, in fact, the supervision of affairs, appointed the first council in Virginia, issued orders for the conduct of the first expedition under Captain Newport,^b and provided a paper of advice^c as to the establishment of a fort and of a town.

It is in this latter document that the first indication of the real motive of the undertaking is found. The orders laid down were to "make choice" of the river "which bendeth most toward the North-West, for that way you shall soonest find the other sea," while the choice of a healthy location, wise intercourse with the natives, and the fortification and preparation of a single settlement were emphasized. The chief objects, however, were to plant in a place

^a Printed in full, Brown, *Genesis*, I, 64-75.

^b See *Certain Orders and Directions*, December 10, 1606. Manuscript in the Library of Congress, *Virginia Miscellaneous Records, 1606-1692*, pp. 19-23. Reprinted in Brown, *Genesis*, I, 75-79.

^c See *Instructions by way of Advice*, December, 1606. Manuscript in the Library of Congress, *Virginia Miscellaneous Records, 1606-1692*, pp. 14-17. Reprinted in Brown, *Genesis*, I, 79-85.

which should be fitted "to receive the trade of all the countries about," to discover minerals, and to find the passage to the western sea.

The loss of the records, both of the council and of the "companies" for trade, covering this period, leaves, as the only source of information, both for affairs in England and in Virginia, the narratives of the early settlers. Of these the most important are the reports of Captain Newport, and the relations of John Smith, of Edward Maria Wingfield, and of George Percy.^a The council had dispatched three expeditions, all under Captain Newport; one in December, 1606, in three ships with 120 emigrants; another in October, 1607, with two vessels and about the same number of passengers; and a third in August of 1608 with about 70 emigrants.

The reports of Newport, Percy, Wingfield, and Smith encouraged the managers of the enterprise to continue their efforts, but proved that a change in object as well as in policy would be necessary. From Newport came descriptions of the fruitfulness of the soil, of the quantities of fish and of timber, and of clay for making brick, and enumerations of the possible exports, comprising sturgeon, clapboard, wainscot, saxafrage, tobacco, dyes, furs, pitch, resin, turpentine, oils, wines, wood and soap ashes, iron, copper, pearls; but the reports as to the mines were vague. He declared that the country was rich in gold and copper, and took home with him earth to be assayed, while Smith, in *A True Relation*, states that he had been left to dig a rock which Captain Newport thought was a mine, but no mention of results is made.

The full description of the country by Newport and also by Captain John Smith gave the council a clear idea of its geography, as is indicated by the instructions to Sir Thomas Gates in 1609. But the expedition, which penetrated to a distance of 160 miles up the river, brought the explorers to hostile tribes and left the council still uncertain, though hopeful of the discovery of a passage to the south sea. Furthermore, Captain Newport positively stated that there could be no commerce with the Indians, and all evidence shows that the natives were to be a resource for the necessities of life rather than for the exchange of lucrative objects of trade. Hence it is that the broadside which was issued by the company in 1609,^b as an incident of its

^a See John Smith, *A True Relation*, 1608, reprinted in Arber, *Works of John Smith*, 1884; *Discourse of Virginia*, by Edward Maria Wingfield, printed in the *Archaeologia Americana*, IV, 77-103; *Observations gathered out of a Discourse of the Plantation * in Virginia * 1606*, by George Percy, printed in Brown, *Genesis*, I, 152-168; and the following documents probably written by Captain Archer: *A Relatyon of the Discovery of Our River, from James Forte into the maine: * * by Capt. Christopher Newport*, 1607, printed in *Archaeologia Americana*, IV, 40-58; *The Description of the now-discovered river and country of Virginia*, printed in the *Archaeologia Americana*, IV, 59-62; *A Brief Description of the People*, printed in *Archaeologia Americana*, IV, 63-65.

^b *Nova Britannia*, printed February 18, 1609. This document is reprinted in Force's *Tracts*, I, No. 6.

attempt to secure capital for the undertaking in its new form, emphasized the richness of the soil and the resources of the country—which in later years would yield abundant return—the value of the settlement as a market for English cloths, and the advantage to shipping and shipbuilding which would come from colonization.

But the effort to develop the resources of the country and to found a settlement for such purposes rather than for exploration required larger investments and more men. Then, too, the regulation of the affairs of the colony without any control from the council in England meant continued jealousies and quarrels among such a small number of colonists and under such unsettled conditions. According to Wingfield the provisions for defense seem to have been insufficient, the magazine was mismanaged, and the relations with the Indians were strained. To John Smith must be attributed the wisdom of foreseeing the necessity of strong support from England and of the establishment of permanent colonial settlements and the development of the country for self-support.^a

THE CHANGE IN CHARACTER FROM 1606 TO 1609

The fact that the source of authority before 1609 was in the Crown is nowhere so clearly evidenced as in the records themselves. The fundamental documents emanated from the King and his Council or from the council for Virginia representing the royal authority, all instructions to officers bore the sign manual and all letters and reports from Captain Newport, from Edward-Maria Wingfield, and from his associates were addressed to the council for Virginia. Furthermore, the president and council appeared in the name of the Crown as the plaintiffs in a suit by which an attempt was made to enforce the contract with the master of the "Guift of God" for supplying provisions to the passengers in a voyage to North Virginia.^b The direct relations of the planters to the Crown are similarly emphasized by two heretofore unpublished documents, which are in the Library of Congress, consisting of the oaths administered to the colonists and to the secretary of the colony.^c

The commercial status of the undertaking is more difficult to determine than the political. That the company was organized for the purpose of exploration and trade has been proved, but whether the control of trade was vested in the council or in companies or groups of undertakers is uncertain. The exact relation of the council to the plantation and of the Crown to the enterprise must have been stated in the

^a For a history of the organization of the company and of the founding of the colony, see Osgood, I, Chs. i-iv.

^b Bibliographical List of the Records of the Virginia Company, *post*, p. 121, No. 7.

^c List of Records, p. 121, Nos. 5, 6.

court book, in which were kept the records of the acts of the council and perhaps of the companies for the administration of trade. This book, covering the period from the 28th of January, 1606, to the 14th of February, 1615, was in the possession of the company as late as 1623, but unfortunately no trace of the book has yet been discovered and even its existence has heretofore been unknown.^a

Whatever may have been the source of control, the narrations of Captain Percy, Edward-Maria Wingfield, and Captain Newport indicate that the business of the company consisted chiefly in raising funds and equipping expeditions to be sent to Virginia under Captain Newport. This failure of the investment to bring in returns of gold and silver and of articles for trade, or to accomplish anything in the way of discovery of trade routes to the East Indies during the first three years, served to convince both King and undertakers that a change in method of control was essential. The document known as "Reasons against publishing the Kings title to Virginia. A justification for planting Virginia"^b seems to show an agitation among the investors arising from fear lest the desire to placate Spain, or religious considerations, might lead the Crown to abandon the scheme. The arguments there adduced may well explain the readiness of the King to surrender not only the commercial and territorial control but also full rights of government to the corporate body of the Virginia company, and thus to avoid any rupture with Spain. Certain it is that the desire for more direct authority and for securing larger investments were the motives of the petitioners in asking for a new charter.

As a result of this movement the letters patent of 1609 were issued, transforming the undertakers into a body politic. In this case also the documents are especially characteristic of the organization. Whereas the Crown was formerly the source of all power, beginning with 1609 the council of the company, acting as a standing committee for the adventurers rather than in the name of the King, exercised the controlling authority. After the charter of 1612 had provided for more frequent meetings of the generality, the council was gradually superseded by special committees and the tendency arose to decide all matters of importance in the general quarter courts and to insist upon all communications being addressed to the company rather than to the council. The act of incorporation erected a commercial company and made it the overlord of a proprietary province. It at once strengthened its plantation as a center for traffic and established a system for joint management of land and trade to extend over a period of seven years, prom-

^a When the Privy Council demanded the records of the company, a receipt bearing the date April 21, 1623, was given to the secretary of the company for the "several court books." This document was discovered by the Editor among the Ferrar papers, Magdalene College, Cambridge, in December, 1903. See List of Records, p. 171, No. 470.

^b This document was recently found by the Editor in the Bodleian Library. *Ibid.*, p. 121, No. 1.

ising dividends to the adventurer and support to the planter. The records of the corporation reveal as clearly as do its broadsides and pamphlets that it was a business venture. These records may be grouped into seven classes.^a

THE CLASSES OF RECORDS

I. The fundamental documents of the company were those by virtue of which it had its legal formation, and consisted of the letters patent, charters, and orders in council issued by the King and Privy Council.

II. The activity of the adventurers was recorded in the court books, which comprised the minutes of the transactions of the company. In those books were kept the discussions and decisions with regard to the plantation, the granting of land, and all financial policies and plans for developing the enterprise and increasing the income.

III. In carrying on its business the company gave commissions to the governors of the colony, issued regulations for the settlers, and, from time to time, sent instructions to the governor and council of the colony. It also granted lands and patents, entered into contracts, issued receipts, made pleas in court, and kept statements of accounts.

IV. From the colony itself came reports, declarations, letters, and complaints. They were an essential part of the records of the company and often determined its course of action.

V. To the public, for the purpose of inspiring confidence, securing adventurers, and maintaining the interest and support of its members, as well as of defending itself against the accusations of its enemies, the company issued advertisements, broadsides of its shipping investments, declarations, pamphlets, and sermons.

VI. A large part of the information which came to the company was derived from private correspondence between members of the company and individual planters. Furthermore, there was a gradual tendency to permit individuals or groups of individuals of the company to form stock companies for trade or plantation, and records of these transactions formed a valuable supplement to those of the company itself.

VII. To the student of history another group of supplementary material is of great value. It comes from the records of contemporary companies, corporations, and towns, as well as from the correspondence of officers of state or of other persons who were not directly concerned in the transactions of the Virginia Company.

^aFor the documents in these various classes, see the classifications by Roman numerals at the left of each entry under the "List of Records," *post*, pp. 121-205.

All of these records of the company for the period previous to 1616, so far as they were known to him, were collected and reprinted in full or cited, if already available in America, by Alexander Brown, in the year 1890.^a

I.—FUNDAMENTAL DOCUMENTS

As far as appears from the evidence of the extant documents, when by the charters of 1609 and 1612, James I surrendered to the company full rights of trade, as well as territorial and governmental rights in Virginia he apparently lost all interest and part in the undertaking, and it was only when the plantation had developed into the colony, and when at the expiration of the privileges of free importation in 1619, the business of the corporation had become so good as to offer a prospect of revenue that the King in his council began to interfere in the affairs of the company.^b In 1613, under the administration of Sir Thomas Smythe, the adventurers were compelled to appeal to the Crown because of the complications with France which arose from the expedition of Sir Samuel Argall along the northern coasts of America,^c while a similar relation was brought about by the controversy with Spain with regard to the attack on Spanish vessels by the ship *Treasurer* in 1619.^d In both instances the protection desired was granted. When the financial stringency forced the adventurers to great efforts in 1614, and they appealed unsuccessfully to Parliament for aid, the Privy Council attempted to arouse confidence in the undertaking throughout the country. It passed orders urging the city companies of London to invest sums in the Virginia lottery, and in the following year it addressed similar orders to the "Several Cityes and Townes of the Kingdome,"^e with special letters to the lieutenants of County Surrey.^f

But the aid thus secured was not such as to draw upon the resources of the Crown, and the attempt of members of the company to gain a monopoly of the tobacco trade in 1616 met with the same opposition as had similar efforts on the part of the merchant adventurers in previous years. On the other hand the company was com-

^aFor the documents of the period from 1606-1609 not mentioned by Mr. Brown in his *Genesis of the United States*, most of which have recently been discovered, see List of the Records of the Virginia Company, *post*, pp. 121-125, Nos. 1-38.

^bIn March, 1619, Abraham and John Jacobs received a grant for the collection of customs or imports on tobacco. This became an important feature of the business of the company in its later procedure. See List of Records, pp. 127, 129, Nos. 53, 73.

^cBrown, *Genesis*, II, 640-644.

^dList of Records, p. 132, No. 102.

^eBrown, *Genesis*, II, 676, 679, 685, 733, 760.

^fList of Records, p. 126, No. 49.

pelled against its will to submit to the treatment of its plantation as a penal colony by James I in his spasmodic efforts to develop a policy which should save England from an overpopulation of vagabonds.^a

With the exception of these unimportant relations with the Crown, the company seems to have conducted its business independently of royal aid or interference during the first decade of its existence as a corporate body.

II.—THE COURT BOOK

It is therefore in the court book of the company and in its instructions, correspondence, and other records suggested under the preceding classifications II and III, that its activity and methods must be found. That court books were kept under the administration of Sir Thomas Smythe is known from the receipt in the Ferrar papers, already referred to. The first book extended from January 28, 1606, to February 14, 1615, and with it were "other perticuler writings belonging to the company." The second included the period between January 31, 1615, and July 28, 1619. What these books contained can only be surmised from the scope of the two later volumes, dated April 28, 1619, to May 22, 1622, and May 20, 1622, to April 2, 1623, the contemporary copies of which are now extant and in the Library of Congress, at Washington.^b The contents of the "other perticuler writings," none of which are now known to be extant, are suggested by a memorandum of Sir Nathaniel Rich in a document among the Manchester papers. In attempting to prove the good done during Sir Thomas Smythe's administration Rich cites certain records as authority. The first one mentioned was a "booke of perticulers" containing the "Public workes: done in S^r T. Smithes tyme", and showing "the plenty of Armes &c left in S^r Th. Smithes tyme"; the second was a "pticular already deliuered to the Com^{rs}." in which appeared the "Staple Comodityes raysed in S^r T. Smithes tyme"; while the third formed a "colle^c of the publiq workes made by S^r Sa. Argall w^{ch} he [comenset]" and was entitled "The pticulars of the Boates". Rich mentions two documents contained in this volume. He states

^a There is a series of 14 orders of the Privy Council for the transportation of prisoners to Virginia in the years 1617 and 1618 not hitherto noted. List of Records, pp. 121-131, Nos. 4, 41, 65, 90. The transportation thus effected is mentioned by Miss E. M. Leonard, *The Early History of the English Poor Relief*, pp. 229-230, n.

^b This receipt covered these four volumes, "the other perticuler writings belonging to the company," and two volumes of the court book of the Somers Islands Company, December 3, 1613, to January 24, 1620, and February 7, 1620, to February 19, 1622. However, the second volume of the court book, which is now in the Library of Congress—the fourth volume here mentioned—was continued until June 19, 1624, after the return of the records to the company.

that pages "11, 12, 13, 14, 15, &c.," contain the "League of the Natiues," and that on pages 51 to 59 was "Sir T. Dales Ire." In his notes for discussion Rich also refers to "The Courte Bookes," and further declares that "Wrott remembers 4 warrants" by which lotteries were erected under the hands of the "Counsell of Virginia". In connection with the lottery he cites "th' Accompts" of Gabnell and declares that "He kept Tables".^a Thus the discovery by the Editor of these two documents in these two similar collections belonging to the hostile factions has proved that the company possessed record books; but a knowledge of their contents must be gained from other sources.

To supply the loss of these documents of the company, both during the control of the council and after that control had passed into the hands of the company by virtue of the charter of 1612, there is a considerable mass of material, which affords a fair outline of the transactions of the company and the life of the colony. But much of this information is lacking in the completeness and authenticity which would have been supplied by the court book and the other records. The greatest loss is perhaps that of definite knowledge concerning the financial status of the company. The sums adventured by individuals and corporations is preserved in two alphabetical lists; but, so far as is known, only one of these lists is official, and that includes the names of the particular adventure about the year 1610.^b The other is an unpublished list apparently both incomplete and unofficial, and was probably made somewhat later than 1618 at the order of the court,^c although the date 1618 has been assigned to it in the Manchester papers, where it is to be found.^d From the records of the various London companies and from records of English towns, as also from adventures sealed to individuals by the Virginia Company, comes the most authentic information concerning the large sums invested during this decade. In a similar way the knowledge, otherwise to be found in the court book and "The pticulers of the Boates," concerning the ships dispatched and the sums expended for the equipment of planters, individuals, and companies, is scattering and indefinite. The broadsides issued are calls for adventurers, planters, and colonists, with the requirements or statements concerning the lottery schemes; but they do not furnish the wide information which is found in those of the later period. So far as revenue is concerned, there was probably little except that which came from new adventurers

^aThis paper is evidently a series of rough notes of heads and references to prove charges of mismanagement by the Sandys faction. It is in the handwriting of Sir N. Rich. List of Records, p. 167, No. 438.

^bBrown, *Genesis*, I, 465-469.

^cFor an act providing for such a compilation see the record of the court, Dec. 15, 1619.

^dList of Records, p. 127, No. 58.

and the lotteries, but we have no way of knowing even that resource, while our knowledge of the income from tobacco and commodities brought from Virginia is derived from three or four scattering receipts only, found mostly among the papers of the Earl of De La Warr and of Lord Sackville.^a

Even our knowledge as to the economic condition of the colony is most indefinite and comes only from printed pamphlets issued by the company. Judging from the sources of information in the later period, this uncertainty is due to the disappearance of the letters themselves, since, after 1619, the published relations of individual planters, the declarations by the company, and even the records of the court books are all more general in character than the letters which were sent from the colony to the company. Furthermore, in the later period the daily acts of the colonists and their needs, as reported from time to time by returning ships, afforded the adventurers a body of information concerning the social condition of the colony which in form and accuracy left little to be desired. After the time of Captain John Smith not much was accurately known of the colony until the year 1617, when Captain John Rolfe and Ralph Hamor supplied statistics as to the numbers, condition, settlements, and resources of the colony as it then was.

The individual enterprises of this decade in the life of the company are altogether unknown, except from a few contracts for shipping found here and there. Such movements must at least have been noted in the court book. Of the first "hundred," established in 1618, nothing is recorded except the single report, heretofore unknown,^b of a meeting of the committee for Smythes Hundred. But the greatest loss which we suffer through the disappearance of the court book is that of material which should throw light on the aims, motives, and unsuccessful efforts of the company and on the struggles and difficulties through which it passed. For example, there is a single reference to an attempt to found a college, but no information whatever on the subject. The factions which developed and which resulted finally in the dissolution of the company evidently existed in this period, for a letter from Chamberlain to Carleton, dated May 8, 1619,^c in which he speaks of the failure to reelect Sir Thomas Smythe as treasurer of the Virginia Company as having been "somewhat bettered at a later meeting of the Summers Island Company by his choice as treasurer of that company," proves that the change was due to factional differences, although the extant court books open with the refusal of Sir Thomas Smythe to continue as treasurer. Similarly, the choice of officers for the company, the votes received by each candidate, the appointments to positions in the colony,

^a List of Records, Nos. 59, 60. Also Brown, *Genesis*, II, 772.

^b *Ibid.*, No. 76. This is among the Ferrar papers of Magdalene College, Cambridge.

^c *Ibid.*, No. 108.

the petitions to the company and its action thereupon, and numerous other acts, revealing the relations and attitude of the individual members, are all unknown.^a

III.—DOCUMENTS ISSUED BY THE COMPANY

Of the official documents issued by the company during the decade from 1609 to 1619 the most important have been unknown up to this time. They include the first instructions ever given to a governor of a colony by an English administrative body, and the records of the first suits entered by the company in chancery for the purpose of enforcing the payments of sums adventured in the company and of securing a part of the income from the lottery, which the company claimed had been withheld by the agent, William Leveson.^b

The knowledge which the administrators of the affairs of the company had gained from the early settlers, and their grasp of the necessities for exploration, for trade, and for the conduct of affairs in the plantation, has hitherto been a matter of surmise based on the relations of the planters. From the "Instruccions, orders, and constitucions to Sir Thomas Gates,"^c in May, 1609, and a similar document given to "Sir Thos. West Knight Lo:Lawarr"^d in 1609 or 1610 comes a revelation of the motives of the adventurers, as well as of the policy adopted and of the methods outlined for the prosecution of their efforts. These instructions to Gates and De La Warr afforded the authority for the termination of the previous government in Virginia, the stated ideas of the company as to locations for settlements, forts, and magazines, and concerning journeys inland. It also included an interesting reference to Raleigh's colonists. The general policy in administering the affairs of the colonists and the detailed orders as to the relations with the Indians, as far as they concern guards, trade, and treaties, and the daily life of the inhabitants, indicate a definiteness in the control of the company which formerly was not understood. In such a revelation of the knowledge of the country and of the natives there is a

^a Scattering information of such a character concerning this period appears in the discussions and quarrels recorded in the later court books.

^b List of Records, pp. 123-124, Nos. 20, 21, 22, 24, 25, 26, 27, 28, 29, 31.

There are three cases recorded in the chancery proceedings in which the company attempted to enforce the payment of adventured sums. The bill of complaint is identical in each case, with the exception of the names of the defendant and the sums they underwrote. The bill, dated April 28, 1613, against Sir Henry Nevile, Sir Henry Carye, and eighteen others is printed in Brown's *Genesis of the United States*, II, pp. 623-631, from a copy found among the Smyth of Nibley papers. It differs slightly in orthography only from the original record. The five recorded answers supply even more valuable information than the bills of complaints.

^c This manuscript is in the Bodleian Library, Oxford, *Ashmolean Manuscripts*, 1147, folios 175-190^a. It was discovered by the Editor in October, 1903. See also List of Records, p. 122, No. 10.

^d *Ashmolean Manuscripts*, 1147, folios 191-205^a. See also List of Records, p. 122, No. 11.

basis for belief that the affairs of the company were managed and its records were kept in a systematic and businesslike way.^a

The company had become convinced that the policy of John Smith was a wise one, and hence it ordered that a number of plantations should be settled and that efforts should be immediately directed to building healthful and sufficient houses and to planting widely enough for the self-support of the community. Here was the germ which was to develop into the colony, but the plan was as yet by no means so far-reaching. A common store, a common magazine, common refectories, labor by groups with a superintendent for each five or six persons, the prohibition of trade with the Indians except through the truck merchant were economic methods which looked to the gain of the adventurer in London rather than to the development of a colonial settlement. When the settlers had become self-supporting and capable of defense, then measures were to be taken to provide returns, so "that our fleetes come not home empty." Discovery of the seas and of royal mines, exchange of commodities, the exaction of tribute, and the development of the resources of the country for the purpose of securing "wines, pitche, Tarre, sope-ashes, Steele, Iron, Pipestaues, hempe, flaxe," silk grass, fishing for pearls, cod, and sturgeon were to be the sources of revenue. The instructions placed authority implicitly in the hands of the governor, who was expected to hear, but not necessarily to heed, the advice of the council and to judge according to "naturall right and equity then vppon the nicenes of the lawe."

The agents of the corporation—the governor and his council in Virginia—received their authorization for the exercise of judicial as well as legislative powers through a commission. The one issued to Sir Thomas Gates is lost, but doubtless is as similar to that given to Lord La Warr^b as are his instructions. With the exception of a set of "Instructions for such things as are to be sente from Virginia, 1610,"^c these orders and commissions are the only documents which show anything of the direct authority exercised by the company over affairs in the plantation until the issue of the "Great Charter of privileges, orders, and Lawes" in November, 1618.^d

Otherwise, the whole course of the activity of the company under Sir Thomas Smythe was in strong contrast with the work of Sir Edwin Sandys. It was a con-

^a Care on the part of the company is also seen in the general instructions of 1609 to the lieutenant-governor of Virginia, which are known only through a copy of the sixth article, preserved in the papers of the Marquis of Lansdowne. *Ibid.*, No. 9.

^b The commission bears the date February 28, 1610. It is printed in full in Brown, *Genesis*, I, 376-384.

^c Printed in full in Brown, *Genesis*, I, 384-386.

^d *Post*, p. 34. This set of instructions to Governor George Yeardley, although given late in 1618, belongs both in spirit and effect to the period of the Sandys-Southampton administration.

tinual struggle to arouse such interest in the scheme as would result in investment. The problem of marketing the products of the colony, which concerned the later company, did not arise until toward the close of the period, when a single unsuccessful effort was made to gain a monopoly of the sale of tobacco. In order to increase the capital stock, the company made personal appeals and issued printed statements and descriptions which it scattered broadly. The story is told in the lists of adventurers cited above, in the earnest endeavors to secure new planters and new adventures from individual town and guild, in the efforts to enforce the payment of sums already adventured, in a few receipts concerning tobacco, in the lottery schemes, which were legalized by the charter of 1612, and in printed broadsides and declarations. Thus the sums adventured by individuals, by the various London companies, and by the towns of England are given in a series of requests for adventure and in bills of adventure^a issued by the company and found in the records of those companies and towns^b as also in private collections. The chancery proceedings, in three suits, state that the company attempted to secure an adventure of £18,000 and the equipment of 600 men during the year 1611, and the failure to accomplish its purpose was set forth by the defendants as a reason for refusing to pay the sums adventured. Incidentally there was mentioned an income in the year 1613 of £8,000 from the lottery, of £2,000 from the sale of the Somers Islands, and of £600 or £800 from the disposal of the ship *De La Warr*.^c However, with the exception of an unpublished letter from Sandys to the mayor of Sandwich^d concerning the adventure by that town, in which he inclosed a list of the subscribers to that particular adventure, with the sums set down by each,^e the official records reveal but little as to the sums which must have been received by the company.

In a similar manner there are unauthentic records of economic value concerning the lotteries and the importation of tobacco. Of the latter a few receipts and memoranda among the papers of Lord Sackville^f and the Earl De La Warr^g are positively

^a For the text of these adventures, see Brown, *Genesis*, I, 238, 252-3, 308, 391-2 (has signature of secretary and seal of company), 452-3, 453-4, 461-2, 463-5; II, 496 (signature and seal), 555. For two not yet published see List of Records, pp. 122, 123, Nos. 16, 17, 23.

^b For this series of about 30 records see Brown, *Genesis*, I, 254, 257, 257-8, 277, 277-8, 278, 280-2, 291, 292-3, 302-6, 306-7, 309-10, 388-9, 390, 344; II, 558-9, 560, 561, 592, 686-8, 690-1, 768-9, 757. Also List of Records, p. 122, No. 15.

^c *Ibid.*, Nos. 21, 22, 25, 27, 31.

^d Printed in Brown, *Genesis*, I, 461-2, 463-5.

^e The list is printed in full in Brown, *Genesis*, I, 465-9.

^f List of Records, p. 127, No. 59.

^g *Ibid.*, No. 35, 60, and Brown, *Genesis*, II, 772. See also reference to payments for tobacco sent to Virginia in the List of Records, p. 122, No. 13.

all there is in existence relating to the origin of a trade which was estimated in 1619 to be worth £100,000. Of the former, there is a "Declaration for the Lottery," published in 1615 by the company, and an order of the Privy Council, together with letters urging the towns of the Kingdom to adventure in this the second great lottery of the company.^a A letter from the governor of the Virginia Company to the mayor and aldermen of Ipswich^b is to the same effect, but none of these documents tell of the income therefrom. The only record which will give an idea of the value of the first lottery is in the chancery proceedings, and relates to a suit of the company with William Leveson to secure moneys from the lottery,^c in which the sum received in 1613 is here stated to have been £2,793 and 10 shillings. The answer of Leveson is of further interest in that it alone tells of the methods by which the business was conducted and of the house built for the lottery west of St. Paul's Church.

V.—PUBLICATIONS OF THE COMPANY^d

The struggle for capital and for settlers before 1616 is most apparent from the advertisements that were issued. The broadsides of the years 1609, 1610, and 1611 are printed as official declarations of an intention on the part of the company to send voyages to Virginia, and contain the necessary information as to the classes of emigrants wanted—artificers only—and the conditions and rewards for emigration. The broadside of February, 1611, is of most value, in that the classes of emigrants with the numbers of each desired are specified, while that of 1610 is a defense against the slander of recently returned colonists, and emphasizes the former need of artificers as colonists.^e The broadsides of 1613 and 1615 concern the drawing of the lotteries, the latter declaring in a general way the prosperous condition of the country and announcing the prizes and rewards, thus affording some conception of the sums received from such an enterprise.^f The publications of the year 1616 disclose, as well as assert, the prosperity of the settlement and the assurance of its success, though giving no statistical information. That of April arranges for the first division of lands among old adventurers and promises the same to new adven-

^a Brown, *Genesis*, II, 760-766. For unpublished letters, see List of Records, p. 124, Nos. 32, 33, 34.

^b *Ibid.*, No. 71.

^c *Ibid.*, No. 28.

^d Because of the close relation of the publications of the company to the documents issued by the company, the discussion of Class V precedes that of Class IV.

^e These are all reprinted in Brown, *Genesis*, I, (1) 248-249, (2) 354-356, (3) 439, (4) 445, (5) 469-470.

^f Brown, *Genesis*, I, 608, 761-765.

turers, declaring the intention to send a new governor and surveyors to the colony for the purpose, while that of the winter of the same year announces that any settlers may return to England who will.^a

In addition to the advertisements for investment and adventure, both of person and of money, the company put forth a series of publications, consisting of four sermons preached before the company at stated intervals, intended to arouse both interest and confidence in their undertaking. These afford but little if any definite information, but reveal the spirit of the times, as also the lines of criticism and resistance which the company had continually to meet.^b

But of far greater importance to a comprehension of the attitude of the company, and especially of the progress of the plantation, are the declarations concerning the colony, which were published by the company.^c They are nine in number, and bear the following titles and dates:

- (1) *Nova Britannia*. London, 1609.
- (2) *Virginia richly valued*. London, April 15, 1609.
- (3) *A True and sincere declaration of the purpose and ends of the Plantation*, "by the authority of the Governor and Councillors of the Plantation." London, 1610. [December 14, 1609.]
- (4) *Neves from Virginia*—a poem. 1610.
- (5) *A True declaration of the estate of the colony of Virginia*, by the order of the "Councill of Virginia." London, 1610.
- (6) *De La Warr's Relation*. London, July 6, 1611, with *Crashaw's Epistle Dedicatorie* as a preface.
- (7) *The New life of Virginea*—second part of *Nova Britannia*, by "the Councill of Virginea." London, May 1, 1612.
- (8) *Good Neves from Virginia*, by Whittaker. London, 1613.
- (9) *A booke called an narracon of the present State of Virginia by Ralph Hammer*. London, 1615.

The documents published in 1609 and also the poem of 1610 were efforts on the part of the company to defend itself against charges of failure in earlier years and to reveal the advantages which were promised under the new system of government. This is distinctly the tone and motive of the *Nova Britannia*, in which appear argu-

^a Brown, *Genesis*, I, 774-779, 797-799.

^b Brown, *Genesis*, I, (1) 282; (2) 293; (3) 312-316; (4) 360-373. A fourth sermon preached by Richard Crakanthorpe, March 24, 1608/9, on the anniversary of the accession of James I, has favorable references to the project. See Brown, *Genesis*, I, 255-256.

^c Brown either reprints all of these or cites the reference. *Genesis*, I, (1) 241-243; (2) 279-280; (3) 337-353; (4) 420-426; (5) 427-428; (6) 477-478; II, (7) 558-559; (7) 577-588, 611-620; (9) 746-747.

ments in favor of the colony, and the statements of the plans, resources, and needs of the colony, together with an outline of the government which was now to be administered.

A True and sincere declaration further explains the unsatisfactory condition of the colony by reference to the incompetence of previous governors, furnishing perhaps the best historical narrative which was issued by the company during the first period of the plantation. It also holds out the promise of improved conditions under Gates and De La Warr, who are to be shortly sent to Virginia with a complete outfit of men and provisions. The second document describes the southern part of the country and cites the advantages of Florida as evidence of the opportunities in Virginia. After the time of De La Warr the published accounts of the plans, movements, and successes of the colonists became more complete. While the statements of De La Warr in his *Relation* are a bare outline of the conditions as he found them and the improvements in trade and discovery to which Captain Argall had contributed, together with his lordship's plans for the future, it is of value as forming, with Hamor's narrative four years later, a surprisingly accurate and satisfactory treatment of the development in the colony during those years.

Hamor gives a clear statement of the methods and success of Captain Dale in his relations with the Indians, of his organization and reform of the colony, and of his establishment of order therein, and reveals clearly the state of affairs on the arrival of Gates, the cause of the failure heretofore, and the details of the building of the successive towns, with descriptions and statistics for each. He gives also an historical narrative of the relations with the various Indian tribes and his knowledge and statements concerning the resources of the country are equally satisfactory. While Whittaker's *Good Newes from Virginia* and *The New Life of Virginea* are of value as corroborative evidence, they add but little to the knowledge of conditions or resources, and evidently were written more in the spirit of the poem of 1610, being intended to inspire confidence in the management of the colony, in the new system, and in the officers installed, as well as to arouse enthusiasm in the project.

It is evident that these publications are of more direct value in the study of the progress of the colony and tell at first hand but little more than the methods employed by the company to gain its end, but, together with the other reports from the colony which are preserved in manuscript form, they to an extent supply what has been lost by the disappearance of the court book. They prove that there was a gradual change in the motive and means of the company, due entirely to the exigencies of the case. The failure to discover precious metals forced the

company to concern itself with the development of the resources of the country and with the production of staple articles which were needed in England. Then, too, the first written laws promulgated by Gates, De La Warr, and Dale in 1610-1612, martial in form and harsh in character, reveal the type of the plantation which the company now proposed;^a the freedom of the individual was to be reduced to a minimum, all labor was to be regulated as if it were a military discipline and the produce was to belong to the common store. Thus the evils of the early settlement were to be avoided. But of necessity this plan was temporary. Argall, like Smith, was a good colonizer. The explorations of Smith and his trade with the Indians, together with the order and prosperity which were brought by Dale, resulted in the founding of various settlements, such as Henrico and others farther south, which became self-supporting and independent of the "supplies" from England. This meant that the company was to be forced to assume a different attitude toward the colony; that the common labor, common store, and common trade must be abandoned. By 1614 private lands had been given to a few inhabitants, every family had been assured of a house of four rooms, rent free, for one year, and women had been sent to the colony to aid in keeping the settlers contented and permanent.

Whether the company made any resistance to this development within the settlement, by which the adventurer in London must share the profit with the planter, will only be known when the court book shall have been discovered, but it is certain that by 1616 the point of view of the leaders of the company had changed. They had then come to realize that they were to be the middlemen for the marketing of the produce of the planters. This is proved by the movement in 1616 for the monopoly of the importation of the only lucrative staple, tobacco. Again, in 1619, when the time for free importation from the plantation had expired, they most eagerly sought an adjustment with the Crown, although, in 1614, Sir Edwin Sandys, by this time the leading spirit in the company, had been the chairman in the House committee which reported against monopolies.

To such an extent had the colony now grown that the instructions given to Sir George Yeardley in November, 1618, called "The Great Charter of privileges, orders, and Lawes," recognized the necessity for local government. They provided for two houses, the "Council of State," to be chosen by the company in its quarter court, and the general assembly, to consist "of the Council of State and two Burgesses

^a*For the Colony of Virginea Britannia, Lawes Divine, Morall and Martiall, &c.*, entered for publication on December 13, 1611, is a code first established by Sir Thomas Gates, May 24, 1610, approved by the lord governor, June 12, 1610, and exemplified and enlarged by Sir Thomas Dale, June 22, 1611. They are reprinted in Force, *Tracts*, Vol. III.

chosen out of each Town Hundred or other particular Plantation."^a The great difference between this act of the company and that of nine years before, when the instructions to Gates were issued and the laws of Dale were approved, is apparent. Whether it was due entirely to the necessities arising from the changed conditions in the colony heretofore noted or to the abuse of power by Samuel Argall, from 1616 to 1619, is uncertain.^b Whether it was but a reflection of the growing popular sentiment within the company by which the generality exercised the powers of administration or whether it was due to the influence of the "opposition" in parliament can not be settled without fuller records than are at present extant.

IV.—LETTERS FROM THE PLANTERS AND RECORDS OF THE COLONY

The printed reports from the colonists and the printed declarations of the company were of course based on the letters from the planters and on those from the governor and council of Virginia to the Virginia Company. There were also letters from individuals in the colony to officers of the company or to other adventurers in England. They may perhaps reveal more clearly the condition of affairs in the colony and the influences which moved the company in its change of policy, since they do not attempt to conceal, excuse, or palliate any of the circumstances. Six of these narrate the story of the voyage of Gates and Somers, the misery in the plantation on the arrival of Gates and of De La Warr in 1610, and the steps that were taken to improve conditions.^c Through other letters from the colony the company gained its knowledge respecting voyages to Virginia, progress and order in the colony, and the building of Jamestown,^d especially under Sir Thomas Dale, and as to the prosperity of the settlers. Dale in 1611, outlined his plans and his achievements, urged the sending of 2,000 men, and suggested that the difficulty of securing planters might be overcome by making the settlement a penal colony. In 1615, 1616, and 1617 the company received reassurances from Dale, Hamor, and Rolfe of the prosperity of the colony; but the publications of the company and the letters from the colony from 1615 to 1618 were

^a List of Records, p. 129, No. 72.

^b There are extracts from two letters dealing with the alleged misappropriations and abuse of power by Captain Argall, deputy governor from May, 1617, to April 20, 1619. One of these was addressed to Captain Argall and bears the date August 22, 1618; the other to Lord De La Warr, August 23, 1618. They are preserved in the court book of the company under the date of June 19, 1622. See also *Ibid.*, Nos. 82, 83.

^c These letters were from the governor and council, July 7, 1610; from John Radcliffe, October 4, 1609, Gabriel Archer, August 31, 1609, and from Captain Somers and Lord La Warr, August, 1610, to the Earl of Salisbury; and from William Strachey in *A True Repertory*, July 15, 1610. They are reprinted in Brown, *Genesis*, I, 328-332, 400-402, 402-413, 416-417.

^d See Strachey, *A True Repertory*, in *Purchas, His Pilgrimes*, IV, pp. 1734-1756.

either very few in number, or have not been preserved. These were the years of the excessive abuses in the colony under Sir Samuel Argall.^a

The only evidence of records kept by the colonists is an abstract of "A Register book during the Goũm^t of Sam^l Argall Esq^r admiral, and for y^e time p^{re}sent, principal Gou^r of Virg^a" in the year 1618. This abstract was probably made in 1730 under the direction of R. Hickman, deputy clerk of the general court of Virginia at that time, and has heretofore been unnoticed. From it comes a knowledge of correspondence between the governor and Bermuda Hundred and Kicoughtan, and between the governor and the company in London. A complaint of the largeness of privilege given to Captain Martin in his grant is significant because of the long contest during later years, between the company and Captain Martin over this patent. There are, too, a number of commissions to officers for trade and for command, and several warrants, edicts, and proclamations. These are very similar in character to those issued by the governor and council in 1623, and reveal the fact that methods of government had not altered materially, though the source of authority had been changed by the great charter of 1618. The severity of penalty and the threats of reduction to slavery for offense are perhaps the features most characteristic of the period.^b

VI.—PRIVATE PAPERS OF ADVENTURERS

While the company probably did not officially use the private correspondence received from the colony by individual adventurers, it doubtless profited by the information which it contained. Thus, the relation of John Rolfe,^c addressed to Lord Rich and the King in 1616, ranked in value with the descriptions of Ralph Hamor, for it discussed the water supply of the colony, its food, clothing, houses, and government and gave statistical information as to the various towns, their location, the number of their inhabitants, and their officers. There are at least six other letters extant, similar in character, though of less value.^d

But another series of private papers partakes most strongly of the nature of documents of the company. These are the contracts and correspondence relating

^aFor the log book of Argall and for these letters from Spelman, Dale, Argall, and Rolfe, see Brown, *Genesis*, I, 428-439, 483-488, 488-494, 501-508; II, 639-640: *Virginia Magazine of History*, IV, 28, 29; X, 134-138. Also noted in the *List of Records post*, p. 125, Nos. 39, 40.

^bFor full citation of these abstracts of about twenty documents, see *Ibid.*, Nos. 40, 42-48, 50-52, 55-57, 64, 65, 67, 74, 75.

^cReprinted in the *Virginia Historical Register*, I.

^d(1) Sir Samuel Argall to Nicholas Hawes, June, 1613; (2) Whittaker to Crashaw, August 9, 1611; (3) Percy to Northumberland, August 17, 1611; (4) Dale to Winwood, June 3, 1616; (5) Dale to D. M., June 18, 1614; (6) Whittaker to Master G., June 18, 1614. See Brown, *Genesis*, I, (1) 640-644; (2) 497-500; (3) 500-501; II, (4) 780-782; (5) 747; (6) 747.

to individual adventures to Virginia or to groups of adventurers. They indicate a tendency in the company to grant private monopolies and to encourage private settlements—measures which indicate the growing importance of the undertaking and the development of individual trade. Only one series of documents relating to individual adventures is extant, those by which Lord Zouch's investment in Virginia was secured to him. His contracts were made in May, 1618, with John Bargrave and James Brett. There is also his warrant to John Fenner to pass to Virginia and trade with the colony and the savages in his pinnace *Silver Falcon*, in February, 1618/19.^a

The other series of documents, which illustrate the legal forms and methods of the company, as also the way in which the first plantations were undertaken by private means, concern Smythe's Hundred and Berkeley Hundred. Among the Ferrar papers are the minutes of the meeting of the committee for Smythe's Hundred on May 8, 1618,^b the first record concerning the hundred, which provides for the sending out and equipment of thirty-five men at an expense of £657 9s. 4d.

VII.—SUPPLEMENTARY CONTEMPORARY CORRESPONDENCE AND RECORDS

In addition to the documents which are either official records or similar to such records in character, there is a large amount of correspondence between officers of state in England and other individuals which by its reference throws light on the affairs of the company or gives additional or corroborative data. All of this which is earlier in date than 1616 has been published by Alexander Brown.

There are seven letters, the dates of which fall between 1616 and 1619, that are of the same character; but they add nothing in fact to the other documents, although two of them reveal the measures taken even at this early date to impress youths and maidens for Virginia and to send reprieved prisoners to the colony.^c Of the documents of this character, which are given by Brown, perhaps the correspondence between the Spanish ambassador in London and the King of Spain is the most valuable, not in the trustworthiness of the data—though much of it confirms other sources—but in the revelation it contains of the part that Spanish relations played in the development of the company and especially in its decline during the following decade, while its reference to prevalent rumors, reports, and sentiment are extremely illuminating. There are thirty-seven of these documents in all, including the correspondence concerning the Spanish ship *Chaloner*. The Chamberlain-Carleton, Digby-Salisbury, Cottington-Salisbury, and Lee-Wilson correspondence add occa-

^a For these documents see List of Records, p. 129, Nos. 77, 82, 98, 99.

^b *Ibid.*, No. 76.

^c *Ibid.*, Nos. 84, 85, 88, 89, 96.

sional data and serve to fix dates and facts which are known from other sources.^a Of similar value are the chronicles of Howes, Abbot's Geography, Smith's Map of England and his General History, the Commons Journal, the writings of Sir Ferdinando Gorges, and other material which emanated from the Plymouth adventurers.^a

^aSee Brown, *Genesis*, "Table of Contents."

3. The Collections of Documents, 1616-1624

GENERAL CHARACTER OF THE RECORDS

The character of the documents of the company after 1619 is fundamentally the same as in the preceding decade. Virginia was still a proprietary province with a commercial company as an overlord, and therefore the company was still the immediate source of all government in the colony. To it came all appeals from colonial authorities; it exercised control over all commerce, both from and to Virginia; it granted all land and all privileges. Although the number of documents emanating from the Crown^a—that is, of the first class—is large, they are rather an indication of the increasing wealth and importance of the company, than of royal interference. They concern the regulation of trade, complain of the abuse of power by the company, or provide for the investigation of its acts rather than assume any authority in the direct administration of its affairs. In them interference in the management is foreshadowed, but it is not until the dissolution of the company that the Crown again becomes the proprietor.

The mass of materials which form the records for this period is much greater than in the earlier decade. This is due on the one hand to their preservation in two or three collections, and on the other especially to the vast growth of business in the company and the rapid development from a colony for exploitation into a colony for settlement. Thus the minutes of the company, forming the second class of documents, show that it conducted a larger amount of business than any other proprietary company.^b These minutes comprise two large volumes of the court book, and fill 741 manuscript pages.^c In the third class there are nine letters from the company to the governor and council in the colony, and twelve from the latter body to the company, in addition to a large number of receipts, commissions, instructions, and laws.^d A mass of material belonging distinctly to the plantation serves as a part of the records of the

^a See documents under Class I in the List of Records.

^b For this statement, as also for a full understanding of the character of the company, see Osgood, *The American Colonies in the Seventeenth Century*, I, 61.

^c Grouped under Class II in the List of Records.

^d *Ibid.*, Class III.

company and at the same time furnishes the story of the beginning of the political unity of the colony. This group consists of the "court booke" of the council of the colony during the last year of the authority of the company, covering about 65 pages; 54 commissions, orders, proclamations, and warrants to subordinates in the colony issued by the governor and council in Virginia, and 35 petitions to the same body from the members of the colony.^a The publications of the company for this final period of its existence number 3 large broadsides, 11 declarations containing 168 printed pages, and 4 sermons and treatises made up of 150 pages.^b The supplementary official material found in the correspondence between individuals of the company and of the colony or between members of the company in England, in addition to the records of the private companies within the larger body, includes many documents and memoranda.^c Sixty-six of these are preserved in the Manchester papers, while 78 are from the Ferrar papers, which are now first made known and published. The unofficial material, consisting of records of other companies, of towns, and of correspondence touching on the affairs of the company or colony, numbers about 40 documents.^d

The relative value of the various classes of the records for this period has been altered by the preservation of the court book which has made the other material supplementary, or even subsidiary, with the exception of the correspondence; for in it is either recorded or summarized the information which the company had received from all other sources, or which it imparted to individuals or to the public by other means. But the fact that the other records are supplementary does not decrease their value, for they often furnish the data which are the basis of the acts and conclusions of the company, while some of them also reveal the legal or political processes of the company, of the colony, of the courts, or of the sovereign authority, and others are of great value in the light which they throw on the dissenting party within the company.

The subject-matter of the court book, as well as the character and contents of the various documents, proves the changed condition which the increase of business had brought about, since a large proportion of the records deal with the founding and conducting of private enterprises, and many of them are really documents of a private nature. It is apparent that the company still looked upon the colony as a source of income for the investors, but that the ulterior object

^a Grouped under Class IV in the List of Records. These papers are all in the Library of Congress.

^b *Ibid.*, Class V.

^c *Ibid.*, Class VI.

^d *Ibid.*, Class VII.

had become the development of the resources of Virginia instead of the production of wealth through mines and the opening of new trade routes. As a result of this change in commercial object had come the need of larger, more numerous, and more scattered settlements in the colony, and of greater co-operation on the part of the settlers, although it may well be claimed that the latter necessity had been urged upon the leaders by the mismanagement of Captain Argall during the three years previous to the change in administration. In order to increase the number of planters, concessions of privilege had been made to private parties or groups as early as 1618, since such investments were doubtless easier to secure when the adventure was under the immediate control of the undertaker. Similarly, for the purpose of stimulating capital and gaining the co-operation of the planters, the division of land, promised in 1609, was proclaimed in 1616. Free tenancy was now guaranteed to all individuals, even to indentured servants, at the expiration of seven years. The organization of joint stock companies for the management of trade, which supplanted the magazine, was a movement toward private enterprise. Hence it is that these subjects, together with those which concern the importation and sale of tobacco, occupy the greater part of the court book, and must have consumed most of the attention of the corporation. The burden of discussion in the courts concerned the best means of marketing the products, whereas in the earlier decade it must have related to the increase of capital. The records of the colony were no longer simple reports to the company and instructions from the proprietor, but assumed the character of political documents, since liberty of land and trade, and the creation of numerous plantations and scattered settlements resulted in the growth of "political conditions and forces side by side with the commercial and economic." The minutes of the colonial legislative assembly, the records of the colonial court, the petitions to the governor and council, and the commissions and orders granted by that body are all distinctively new features in the records. Here is evidence of the creation of the colony, with its body of free citizens, out of the plantation, with its body of half-servile laborers.

THE JEFFERSON LIBRARY IN THE LIBRARY OF CONGRESS

The records of the company under the administration of Sir Edwin Sandys and the Earl of Southampton, or the copies of them so far as extant, are to-day scattered among many public and private collections both in England and in America. The Library of Congress at Washington possesses by far the largest and most important collection in this country. It contains the contemporary certified copy of the court book from 1619 to 1624, as well as a mass of original correspondence, or contemporary copies of the same, between the company and the council in Virginia.

It also includes many original records of the colony, many eighteenth century transcripts of the original commissions, patents, and other records, and many recent transcripts and photographs of documents in the collections of England.

The eighteenth century transcripts and the original documents and contemporary copies came to the Library of Congress from Thomas Jefferson's collection in two different groups: the first in 1815, when his library, purchased "in a lump as it stood on the catalogue,"^a was secured by Congress for the sum of \$23,950; the second was secured when the books of Mr. Jefferson were sold at auction subsequent to his death in 1826. The catalogue of the auction sale classified those acquired by the Library of Congress at the latter date under two numbers as follows:^b

"No. 121. Records of the Virginia Company, 2 vols., fol. MS. (the authentic copy mentioned in Stith's History).

"No. 122. Old Records of Virginia, 4 vols. fol. MS. viz:

"A. Letters, proclamations in 1622-23, and correspondence 1625.

(42) Transactions in council and assembly, their petition and his majesty's answer.^c

"B. (9). Orders from Feb. 1622 to Nov. 1627.^d

"C. (32) A. Foreign business and Inquisitions from 1665 to 1676.

Transactions of the council from Dec. 9, 1698, to May 20, 1700."^e

The volumes of Jefferson manuscripts relating to the company, which became the property of the Government in 1815, were as follows:

(1) *First laws made by the Assembly in Va. anno 1623*^f (Used by Hening.)

(2) *Journal of the Council and Assembly, 1626-1634.* (Used by Hening.)^g

(3) *Miscellaneous Records, 1606-1692*, with a small quarto containing abstracts of Rolls in the offices of State bound into the volume. (Commonly known as the Bland copy, because so cited by Hening.)

^a Manuscript letters of Thomas Jefferson in the Library of Congress. In this letter to William Hening, March 11, 1815, from Monticello, Mr. Jefferson stated that he could not retain a volume, since Congress had purchased his library.

^b The "Catalogue. President Jefferson's library ---- (as arranged by himself,) ---- to be sold at auction, at the Long Room, Pennsylvania Avenue, Washington ----, 27th of February, 1829, ----," p. 4, is in the Library of Congress, *Miscellaneous Pamphlets*, Vol. 859, No. 14.

^c This is classified as one folio manuscript in the catalogue of the Library of Congress, 1830, and the latter is doubtless the manuscript covering the period from 1626-1634.

^d This manuscript also contains loose papers to 1632.

^e *Catalogue of the Library of Congress, 1830*, p. 167.

^f *Catalogue of the Library of Congress, 1815*, p. 73.

^g This is probably the same manuscript as that mentioned above under the Jefferson catalogue as No. 122 (42). There is no other manuscript in the Library which corresponds to the title here given or to the description above.

(4) *Miscellaneous Papers, 1606-1683. Instructions, Commiſſions letters of Advice and admonitions and Public Speeches, Proclamations &c. Collected, transcribed and diligently examined by the Originall Records, now extant, belonging to the Assemblies.*

The entire set in the first group, acquired in 1829, is composed either of original documents or of contemporary transcripts, while the second paper of the second group belongs to the same period. The Miscellaneous Papers, 1606-1683, are a seventeenth century transcript. The Laws of 1623 and the Miscellaneous Records, 1606-1692, are transcripts of the early eighteenth century and are attested by R. Hickman, who was clerk of the general court in 1722. The origin and identification of these various volumes, together with a later copy of the court book of the company, now in the library of the Virginia Historical Society and commonly known as the [John] Randolph [of Roanoke] copy, has been a subject of doubt and discussion, arising from the conflicting descriptions of the volumes by the early historians of Virginia, William Stith and John D. Burk, and by the editor of many of the documents in 1809, William Hening.

The following statements with regard to the first group made by Mr. Jefferson in a letter to Hugh P. Taylor, October 4, 1825,^a will serve as a basis for the attempt to ascertain the history and authenticity of those manuscripts:

“The only manuscripts I now possess relating to the antiquities of our country are some folio volumes: Two of these are the proceeding[s] of the Virginia company in England; the remaining four are of the Records of the Council of Virginia, from 1622 to 1700. The account of the first two volumes, you will see in the preface to Stiths History of Virginia. They contain the records of the Virginia Company, copied from the originals, under the eye, if I recollect rightly, of the Earl of Southampton, a member of the company, bought at the sale of his library by Doctor Byrd, of Westover, and sold with that library to Isaac Zane. These volumes happened at the time of the sale, to have been borrowed by Col. R. Bland,^b whose library I purchased, and with this they were sent to me. I gave notice of it to Mr. Zane, but he never reclaimed them.

“The other four volumes, I am confident, are the original office records of the council. My conjectures are, that when Sir John Randolph was about to begin the History of Virginia which he meant to write, he borrowed these volumes from the council office to collect from them materials for his work. He died before he had made any progress in that work, and they remained in his library, probably unobserved, during the whole life of the late Peyton Randolph, his son. From his executor, I purchased his library, in a lump, and these volumes were sent to me as a part of it. I found the leaves so rotten as often to crumble into dust on being handled; I bound them, therefore together, that they might not be unnecessarily opened; and have thus preserved them forty-seven years.”

^a From the *National Intelligencer*, October 19, 1825. ^b Col. R. Bland died October 26, 1776.

CONTEMPORARY COPY OF THE COURT BOOK

The two volumes referred to by Mr. Jefferson as the "proceedings of the Virginia Company in England" are the contemporary copies of the court book which were secured by the Hon. William Byrd, of Westover, Virginia, from the estate of the Earl of Southampton, either at the time of his death in 1667 or later. Since Mr. Byrd was a boy of 15 living in London in 1667, it may have been when the Virginia estates were left him in 1671, or even in 1687 when he made a visit to England, that he made the purchase.^a That the books remained in the possession of the descendants of Mr. Byrd for a century is proved by the fact that they are mentioned in a manuscript catalogue of the library of the third William Byrd, who died in 1777,^b but these two volumes were not in the library of Colonel Byrd, when it was sold by his widow in Philadelphia to Isaac Zane. Mr. Jefferson's statement that he purchased them from Colonel Bland may be accepted,^c but it would be difficult to prove whether he is equally reliable when he states that the volumes had been loaned to Colonel Bland and had not been returned by him to Colonel Byrd, or whether Mr. Deane is correct in saying that Colonel Bland, as an antiquary, had secured them. That Stith used these contemporary copies of the court book in his *History of Virginia* is apparent from his description of them, as also from his statement that they had been communicated to him by the "late worthy president of our council, the Hon. William Byrd, esq."^d

MANUSCRIPT RECORDS OF THE COMPANY, VOLUME III

The other manuscript volumes, which the Library of Congress acquired from Mr. Jefferson and which are included under No. 122 of the Jefferson catalogue, belong to the early seventeenth century. They are the documents which Mr. Jefferson referred to in his letter to Mr. Taylor as having come from the library of the Hon. Peyton Randolph in such a fragile condition, and which in a letter to Mr. Wythe, of January 16, 1795, urging the necessity of publishing the laws of Virginia, he describes in a similar way.^e

^a William Byrd died December 4, 1704. See Byrd, *History of the Dividing Line*.

^b "Catalogue of the Books in the Library at Westover belonging to William Byrd, Esqr.," p. 437, in *The Writings of Colonel William Byrd*, edited by J. S. Bassett.

^c For a description of these volumes and the circumstances of their making, see the discussion, pp. 78-84, *post*.

^d It is hardly possible that Mr. Jefferson's statement is incorrect and that, instead of having been acquired by Col. Richard Bland at that time, they passed from Stith to his brother-in-law, Peyton Randolph, and with the library of the latter to Jefferson. This is one of the solutions suggested by Justin Winsor. See *Narrative and Critical History of the United States*, III, 158.

^e Henning, *Statutes at Large*, I, p. viii.

That these are the papers discussed by Stith is proved by comparing them with the Hickman (Bland) transcripts. In his preface, Stith confirms the description by Mr. Jefferson, but he apparently destroys the latter's theory that the papers had been in the possession of Peyton Randolph since the death of Sir John Randolph in 1736. Mr. Stith wrote his preface in 1746, and suggests that they were at that time in the possession of the House of Burgesses, although he does not make a positive statement to that effect. His assertions are worth recording, since they carry the history of the volumes back thirty years and also throw light on the Hickman transcripts.

"I must chiefly depend upon such of our Records, as are still extant. Many of them doubtless perished in the State-house at James-Town, and by other Accidents; and those, which have survived the Flames and Injuries of Time, have been so carelessly kept, are so broken, interrupted, and deficient, have been so mangled by Moths and Worms, and lie in such a confused and jumbled State (at least the most ancient of them) being huddled together in single Leaves and Sheets in Books out of the Binding, that I foresee, it will cost me infinite Pains and Labour, to reduce and digest them in any tolerable Order, so as to form from them a just and connected Narration. And some of them have been lost, even since Mr. Hickman was Clerk of the Secretary's Office. For I cannot find, among the Papers in our Offices, some old Rolls, to which he refers. I have therefore been obliged, in a few Points, to depend upon the Fidelity of that Gentleman's Extracts out of our oldest Records, made for the Use of Sir John Randolph. But these things were so far from discouraging and rebuffing me, that they were rather an additional Spur to my Industry. For I thought it highly necessary, before they were entirely lost and destroyed, to apply them to their proper Use, the forming a good History. But as the House of Burgesses in a late Session, upon my shewing their moldering and dangerous State to some of the Members, have justly taken them into their Consideration, and have ordered them to be reviewed and fairly transcribed, I doubt not, by their Assistance, and with the Help of the late Sir John Randolph's Papers, and such others, as are in the Hands of private Gentlemen in the Country, and will undoubtedly be readily communicated to further so noble and so useful a Design, to be able to collect and compose a tolerably regular and complete History of our Country."^a

Hence, we are again left in a quandary. The papers may have come into Peyton Randolph's possession through the arrangement made by the burgesses for their transcription; but no transcript made directly from the documents as late as 1746 is known to us. Whether they were borrowed from the province by Mr. Stith or by Peyton Randolph, his brother-in-law, or by some other historian or antiquarian is not yet proved; and our only evidence that Jefferson secured them from Peyton Randolph's executor is his statement made twenty years after the date of the purchase.

^a Stith, *History of Virginia*, preface, p. viii.

The papers, after almost a century in the Capitol, were in a still more deplorable condition in 1901 than that described by Mr. Stith, but the loose pages have now been carefully and skillfully repaired. The order of contents of the volumes (while not chronologically arranged) may be known from the abstracts made under the direction of Hickman about 1722. This agrees with an arrangement determined by the early pagination, the subject-matter, and the writing. That these manuscripts are original records or contemporary copies is evidenced by the form of some of them, by the signatures of others, and by the autographs of the secretaries and clerks of the period. The supposition is that they escaped destruction when the Province House was burned in Bacon's rebellion in 1678, during the administration of Gooch in 1698, and again during the Revolution, only to be lost to the State in the latter half of the eighteenth century.

The volume designated as 122, A, in the Jefferson catalogue, and there entitled "Letters, proclamations in 1622-23, and correspondence 1625," is evidently the one referred to by page in the Hickman abstract of the rolls as "the other side of No. A 42."^a This abstract is a quarto bound into the *Miscellaneous Records, 1606-1692*, called by Hening the "Bland copy." In pages 1 to 14 *a* of this volume are eighteen letters from the colony to the King or to the company between 1621 and 1625, while pages 15 to 30 contain nine letters from the company to the colony between 1621 and August 6, 1623. The first group are holographs, but of a secretary or clerk not yet identified. The second are doubtless in the autograph of Edward Sharpless.^b Both are contemporary copies of the originals.^c The documents classed in the Jefferson catalogue as 122 (42) form the balance of this volume and also probably include the journal of the council and assembly, 1626-1634. The latter was evidently used by Hening in compiling his statutes.

Presuming that this fragile document, which is the only one concerning the company and the colony while controlled by the company, formed one volume, its contents was as follows:

No. A 42:

1. (a) Miscellaneous letters from the Privy Council to the governor and council in Virginia in 1623, pp. 1-3^a. An unknown holograph.
- (b) Declarations of the condition of the colony and answers thereto in 1623/4, pp. 3^a-7^a. An unknown holograph.

^a This volume of correspondence is cited in the List of Records as the "Manuscript Records of the Virginia Company of London, Vol. III, pt. ii," thus including in Vol. III all of this miscellaneous manuscript material of the company.

^b Edward Sharpless had been a clerk of the secretary of the colony, Christopher Davison, and succeeded him upon his death in the winter of 1623/4. He remained as acting secretary until his trial on May 20, 1624, for giving copies of the acts of the assembly to the commissioners of the King; John Sotherne then took up his duties.

^c See Plates, *post*, Vol. II for illustrations of these holographs, and for evidence as to the autographs.

2. Fundamental orders, charters, ordinances, and instructions by the company in London and laws of the assembly in Virginia, pp. 8-21. Partly holographs as above.^a

No. A 42. "The other side:"

1. (a) Letters from the colony to the King or to the company between 1621 and 1625. An unknown holograph.

(b) Letters from the company to the colony between 1621 and August 6, 1623. Holographs of Edward Sharpless.

2. Instructions, commissions, proclamations, orders, warrants, and letters of the governor and captain-general of Virginia and of the assembly, pp. 36-53. Partly the holograph of Edward Sharpless and partly perhaps of Christopher Davison, the secretary of the colony from November, 1621, until his death in the winter of 1623/4.^b

4. Petitions to the governor and council in Virginia, pp. 58-63. Holographs as of the preceding.

5. A miscellaneous collection of letters between the Privy Council and the Commissioners for Virginia on the one hand and the governor and council in Virginia on the other, in 1625/6, pp. 68-70; a letter from the Virginia Company of London in 1626, p. 71, and a census of 1624, pp. 71-75. Unknown holographs similar to those in the first part of this end of the volume.^c

The first part of the volume thus opens with the letters of the Privy Council to the colony on April 28, 1623, when the King first began the action looking toward the dissolution of the company, and with the first direct correspondence with the officers of the colony. The writing and the dates place the documents as consecutive through the entry of the acts of the assembly, March 5, 1623/4, when the assembly seems to have ceased. After that page, copies of scattered documents appear in a different writing, commencing on the back of the last assembly record. These are largely fundamental or constitutional, including the instructions of November 20, 1606, the charter of 1606, the order of 1607 enlarging the council, and the oaths administered to officials of the colony of the same period. The other part of the volume opens with the correspondence between the colony and the home government. After a hiatus of fifteen pages the documents of the governor and assembly begin as indicated under the second division above. The writing is that of Edward Sharpless and Christopher Davison, and remains the same throughout the petitions of the next group. The last group of miscellaneous documents agrees in subject with the

^a This volume is cited in the List of Records, as "MSS. Records of the Virginia Company of London, Vol. III, pt. i."

^b Christopher Davison was appointed at a quarter court, June 23, 1621. His commission was sealed November 28, 1621.

^c Cited in the List of Records as "MSS. Records of the Virginia Company, Vol. III, pt. ii."

letters of the first part and in autograph with the first section of those letters. On a fly leaf among the loose papers is inscribed the following: "Records of W. Claybourne or Claiborne. / p Joseph [Jokeg] / Tho Farloue & / Vpton gent / Thos. Ba[u]rbag[e] / Clef Conē". This may belong to the records of the period after May 14, 1626, when William Claybourne was appointed secretary of the colony by Charles I, or it may have been placed in an earlier volume, or it may indicate that a part at least of the earlier volume was transcribed under his direction.

Section B (9) of No. 122 in the Jefferson catalogue, cited as orders from February, 1622, to November, 1627, and including loose pages as late as 1634, is the only octavo manuscript of these records and has been saved from its almost useless condition by repair. That this is the original blotter of the court book of the governor and council in Virginia, containing the original record of suits tried before that body and of orders issued by it, is proved by the hasty and brief entries, giving the volume an entirely different character from those of the carefully elaborated transcripts of the clerks. The records of twenty-three courts held as here given and of the cases considered during the era of the authority of the company, consisting of about forty-five pages of manuscript, are noted in the list of the records of the company, but are not printed in this collection since they may be included more properly in a publication of the "Records of the Colony."

THE TRANSCRIPTS OF THE VIRGINIA RECORDS

RANDOLPH COPY

It is now certain that at least two copies of the court book existed at the beginning of the nineteenth century, since the so-called John Randolph [of Roanoke] copy has recently come to light.^a It bears every evidence of being an eighteenth century transcript made from the contemporary copy now in the Library of Congress; the manuscript is of the century following that of the contemporary copy; the order, paragraphing, form of insertion of documents, and material is identical; but the omissions and errors arise from illegibility in the earlier manuscript. The other differences lie in occasional carelessness by the copyist and in the fact that the abbreviations are expanded and the spelling and the capitalization are modernized.

The caption of the first volume of this eighteenth century copy is as follows: "The Ancient Records of this Colony under The Treasurer and Company." It opens with "A Quarter Court held for Virginia at Sir Thomas Smith's house in

^a The three volumes are in the collection of the Virginia Historical Society in Richmond, but they are so closely associated with the Library of Congress MSS. that they are discussed here rather than under the MSS. of Richmond.

Philpott Lane, 28th of April 1619," and ends on page 535 with the court of July 3, 1622. The final statement is as follows: "The rest of the Company's Acts are contained in a Second Volume." Volume II begins with a court of July 17, 1622, and closes on page 491 with the proceedings of June 7, 1624. It bears the caption, "The Records of the Company of Virginia, Vol. 2^d." Pages 492 to 502 include a list of "The names of the Adventurers for Virginia, as they were in the Year 1620." On the inside of the board of this volume is written the name, "Sam'l Perkins of Cawson." There is a third volume of this series of transcripts which is described by Mr. Robinson thus: "The other volume begins with the first charter to the proprietors of Carolina dated the 24th of March, in the fifteenth year of Charles II, (1663) and ends page 543 with report of the petition of Philip Laudwell against the Lord Effingham made by the Lords Committees of Trade and Plantations, Dated at the Council Chamber 26th of April 1689." This document ends on page 530. The volume closes on page 544 with "A Memorial for obtaining a more perfect Rent Roll, & advancing Her Majesty's Quit Rents in Virginia". On the first cover is the date, "Sep 19th 1759."

Mr. Brown thinks that these copies were made for Colonel Richard Bland from Colonel Byrd's volumes and passed to Theodorick Bland of the family of Cawson, the grandfather of John Randolph of Roanoke, to whom they finally came. He adds that the Byrd volumes went to Mr. Jefferson with the Bland collection, which he bought about 1776, instead of the copies therefrom.^a Mr. Jameson suggests that John Randolph of Roanoke may have inherited these transcripts from his great uncle, Sir John Randolph. In this case also they would have been made from Mr. Byrd's volumes, and perhaps should have gone to Mr. Jefferson with the Peyton Randolph library, but this would not account for the name "Cawson" in the second volume. Furthermore, according to Mr. Stanard, John Randolph of Roanoke was not an heir to Sir John Randolph, and the families were not even on friendly terms. Mr. Brown's supposition seems the more plausible, since Theodorick Bland, jr., of Cawson may have received the volumes from the son of Richard Bland by gift or purchase, though not by inheritance, and, as Theodorick Bland, jr., died without heirs in 1790, the books may have become the property of his sister's son, John Randolph of Roanoke.

The location of these volumes since the time of the death of John Randolph of Roanoke is known. According to Mr. Brown, John Randolph^b in a codicil to

^aSee an account of "Two manuscript volumes now in the Library of Congress, at Washington, D. C.," in *The Magazine of American History*, New York, Vol. 29, April, 1893.

^bNot to be confused with Sir John Randolph, father of the Peyton Randolph whose library Jefferson says he purchased in 1778.

his will in 1826 left his library to the master and fellows of Trinity College, Cambridge, but in 1831 so altered the will as to bequeath it to his niece, E. T. Bryan. Certain it is, however, that for ten years after his death on May 4, 1833, the volumes remained in his library in Roanoke, for Hon. Hugh Blair Grigsby examined them at that place on January 11, 1843. The library was sold in 1845, but it is evident from the statement of Judge William Leigh, the executor of the estate, that the Randolph copy of the court book remained in his hands.

The later history of this copy is told by Mr. Leigh Robinson, of Washington, D. C., as follows:

"A complete transcript of the Records of the Virginia Company had been in the possession of John Randolph of Roanoke, and by Mr. Randolph's executor, Judge William Leigh, was placed in the hands of my father, shortly after the termination of the war between the States. The Virginia Historical Society, having then no shelter of safety for such a work, my father placed it in the Vaults of one of the banks of Richmond, with a view to transferring it to the Society, as soon as it could be done with Safety. His death occurred before (in his opinion) this could be done. After his death, his family transferred to the Society the copy made by himself. It was some time before they were able to discover the place of deposit of the Randolph Copy. But they finally recovered it, and transferred this also to the Virginia Historical Society, where it now is."^a

Mr. Conway Robinson, the father of Mr. Leigh Robinson, prepared for the press two volumes of abstracts from the court book, which were edited later by R. A. Brock for the Virginia Historical Society and entitled *Virginia Company, 1619-1624*. Robinson states that in the preparation of the volumes he had many transcripts made through Mr. Mehan from the copy in the Library of Congress, and also from the Randolph volumes which Judge Leigh had loaned to him.^b

The third volume of this Randolph series, which is cited both by Burk and by Hening^c as "Ancient Records, Volume III," was copied from the transcript attested by R. Hickman. This volume of Miscellaneous Records, 1606-1692, is the only volume which contains the substance found in the Randolph copy, and is of

^a See a manuscript letter to Mr. Worthington C. Ford, Chief of the Division of Manuscripts in the Library of Congress, December 15, 1902. These volumes, and the third described by Mr. Robinson's father are now in the Virginia Historical Society collection in Richmond.

^b A letter of Mr. Robinson to Mr. Deane, July 1, 1868. For the use of this letter, as also one from Mr. Deane to Mr. Robinson of July 6, 1868, the Editor is indebted to Mr. J. Franklin Jameson, professor of history in Chicago University. In a memorandum Mr. Deane states that he inspected these volumes in April, 1872, at which time they were at the house of Mr. S. A. Myers, the law partner of Mr. Conway Robinson.

^c For the extracts from the "Ancient Records," Vol. III, so called, by Hening, see *Statutes at Large*, I, 76-113 (collated readings given), 113-120, 145, 146, 209, 223.

an earlier date, and, like the original rolls, is less chronological in arrangement. That the Randolph copy was not made from the original records is evidenced by the fact that the abstracts are identical with those of the Hickman or "Bland" copy.

That both Hening and Burk used the Randolph copies of the court book and also the third volume of that series is proved by their descriptions of the volumes, while the page references to "Ancient Records" cited by Hening coincide in each case with these three volumes. Mr. Hening speaks of three large folio volumes not in the orthography of the age of the events, and compiled without much regard to method for the purpose of forming material for a history of Virginia, and states that the first two volumes are minutes of the proceedings of the London Company, and the third an epitome of the legislative and judicial acts of authorities in Virginia, so far as then extant, which were regularly transmitted to England. These, he continues, were used by John Burk, who got them from John Randolph, and also by Skelton Jones, 1809, to complete Burk's History of Virginia.^a Mr. Burk himself declares that there are two large volumes, instead of three, as stated by Hening, "containing the minutes of the London Company together with the proceedings of the Virginia Councils and Assembly, with little interruption to the middle of the reign of George II."^b

JEFFERSON TRANSCRIPTS

The three volumes containing transcripts of the Virginia Records which came from the Jefferson Library in 1815 are unique, containing copies of records since destroyed. Two of them are attested by R. Hickman, the deputy clerk of the general court in 1722, and the third is the only seventeenth century transcript in our possession. Unlike the Randolph copies, the two large volumes include copies of records since destroyed.

Of this group the "First laws made by the assembly in Va. Anno 1623" bears on the back of the last page the following indorsement in Mr. Jefferson's hand: "This was found among the manuscript papers of S^r John Randolph and by the Hon^{ble}. Peyton Randolph, esq. his son was given to Tho^s. Jefferson," and is attested as follows: "Copia Test R. Hickman D C G C." This early eighteenth century transcript was made by the same copyist as were the Miscellaneous Records, 1606-1692, and is the volume used by Hening and referred to in his first volume, pages 121-129. It must also be the subject of a letter from Thomas Jefferson to Hening, April 8, 1815, in which he states that the manuscript marked "A" contains laws of 1623-24, thirty-five acts, which was given him by Peyton Randolph from the materials used by Sir John Randolph, and which Mr. Jefferson declares to

^a Hening, *Statutes at Large*, I, 76 n. (a).

^b Burk, *History of Virginia*, I, ch. V; II, 7, 42, 67.

be the "Only copy extant of those laws!"^a In 1803 Mr. Jefferson had declined to lend to Mr. John D. Burk some of the printed laws of Virginia in his possession, since they were unique and could not be replaced.^b The internal evidence points to the fact that Hening also used the other volumes of this set, a fact corroborated by the following statement of Mr. Jefferson in a letter to Mr. George Watterson, May 7, 1815: "I gave to Mr. Milligan a note of those folio volumes of the Laws of Virginia belonging to the Library which being in known hands, will be recovered. One is a MS. volume from which a printed copy is now preparing for publication."^c Mr. Hening was doubtless using them in the preparation of his later volumes. Certain it is that these documents form the basis for a part of his first volume, in which he cites the *Journal of the Council and Assembly, 1626-1634*, as belonging to Thomas Jefferson, and as having been "purchased by him with the library of Peyton Randolph, from his executors." The third, the *Miscellaneous Records, 1606-1692*, he states was bought by Mr. Jefferson "from the executor of Richard Bland, dec'd."^d

The seventeenth century volume, entitled *Instructions, Commiçons letters of Advice and admonitions and Publique Speeches, Proclamations &c: Collected, transcribed and diligently examined by the Originall Records, now extant, belonging to the Assemblée*, is a vellum-covered book, with an embossed figure on the back cover, and with the following: "E / 1621 / Publiq, Letters / and Orders." On the outside of the front cover upside down is: "E / John Bland / Richard Blan [d] / Alexander Morrison," / while on the half that remains of the first fly leaf is the name "Nelson." On the fly leaf in the book in pencil is the statement: "date of MSS 1650-1695;" and on the front cover similarly is: "17" Century copie Bland." This presence of Richard Bland's name in the book shows that Mr. Jefferson secured it with the Bland Library. The writing of the volume is similar to the early seventeenth century system in many of the abbreviations, the use of the double *f*, and the formation of some of the letters. Evidently this is a collection of correspondence of the colony, transcribed from the court books and from the miscellaneous papers of the three volumes of the manuscript records of the company.^e

The second volume of documents from 1606 to 1692 is in an eighteenth century hand, many of the documents bearing the attestation of R. Hickman. The binding

^aJefferson Letters, in the Library of Congress. This is an error, since a contemporary copy has been found among the "fragile papers" in Jefferson's own possession at the time.

^bThomas Jefferson to John D. Burk, Monticello, February 21, 1803.

^cW. D. Johnston, *History of the Library of Congress*, I, 178.

^dHening, *Statutes at Large*, I, 147, 152, 224. The first four volumes of this work were published in 1809. By an act of the assembly in 1819 the work was completed. In 1823 the first four volumes were reprinted.

^eFor the contents of this volume as late as 1624 see the List of Records.

is in calf and bears on the back the red label, "Vir/. Records." Bound into the back of this volume is a small quarto of twenty-five pages, containing outlines of documents in the Manuscript Records of the Company, which serves to identify the loose pages of the original records as Roll A. 42, and an abstract of Captain Argall's register during his government.^a The documents in the folio volume are charters, instructions, commissions, letters from the Privy Council, and other documents emanating from the Crown, together with one or two from the company and from the council in Virginia.^b That this volume is the one used by Hening in his *Statutes* and referred to as the "Bland copy"^c is indicated by the contents as well as by the fact that it includes the quarto volume. His reason for citing it as the "Bland copy" can only be surmised, namely, that he had Mr. Jefferson's statement that it had been secured with the Bland library, an erroneous designation as is proved by Stith's statement in his preface, that R. Hickman made a copy of the Records for Sir John Randolph.^d But the volume has been known for the past century as the "Bland copy," although its title as a "Hickman" or a "Randolph" volume would be more appropriate.

The conclusions which have been formed with regard to these original and contemporary manuscripts and the later transcripts disclose little concerning the circumstances under which they were made, or the original owners of the volumes. But the important facts to discover, in order to determine their authenticity, are the period of the transcript and the documents from which the copies were made, and these facts in each case have been ascertained.^e

^aThe documents there referred to by page are noted in the "List of Records." The original register of Captain Argall has not been found.

^bFor the contents of this volume see the List of Records.

^cHening, *Statutes*, I, 223, 224-238.

^dStith, *History of Virginia*, Preface, which is dated December 10, 1746.

^eFor published statements and discussions of the history and identity of the volumes in the Library of Congress which concern the Virginia Company, as also of the Randolph copy, see: Robert C. Howison, *History of Virginia*, I, 212 (footnote). 1843.

Fordyce M. Hubbard, Life of Sir Francis Wyatt in *Belknap's American Biography* (footnote). 1843.

Hugh Blair Grigsby in the *Southern Literary Messenger*, February, 1854.

J[ohn] W[ingate] T[hornton], in the *Historical Magazine*, February, 1858.

Charles Campbell, *History of Virginia*, p. 174. 1860.

William Green, in the *Southern Literary Messenger*, September, 1863.

Justin Winsor, *Narrative and Critical History of America*, III, 158. 1885.

E. D. Neill, *Virginia Company of London*. 1889.

J. Franklin Jameson, "The Records of the Virginia Company." An address delivered before the Rhode Island Historical Society, November 27, 1888. (The manuscript used by the Editor.) Reviewed in the *Magazine of American History with Notes and Queries*, Vol. XXI, January-June, 1889, p. 82.

Alexander Brown, in the *Magazine of American History*, April, 1893.

Lyon G. Tyler, in the *Report of the American Historical Association*, 1901, I, 545-550.

The Library of Congress has recently acquired a large number of transcripts of those manuscripts now in the libraries of Great Britain pertaining to the Virginia Company or to the colony under the authority of the company. It thus possesses reproductions of all of the Virginia material in the British Museum, the Privy Council office, the Bodleian Library, and the Magdalene College Library, Cambridge. In the Public Record Office all docquet notices on Virginia, all records of suits in chancery and the admiralty pertaining to Virginia, and the *quo warranto* in the King's Bench, by which the company was dissolved, as well as the most important documents and correspondence, have been transcribed or photographed for the Library of Congress, but the correspondence of the planters, the less important correspondence of the company, and mere memoranda are yet to be transcribed. The latter material is fairly outlined in the *Calendar of State Papers*, Colonial Series, 1574 to 1660, and in the Appendix of the eighth report of the *Royal Commission on Historical Manuscripts*, or is printed elsewhere in full.^a

The collection of publications by the company belonging to the Library of Congress is fairly good. It contains twelve of those which were issued before 1616, but of the later books it has only three. The Declaration of 1620, the Declaration by Waterhouse in 1622, and John Donne's Sermon of the same year, in addition to Smith's General History, are the only ones of the eighteen now extant which are in the Library.

DOCUMENTS IN RICHMOND

The colonial records in Richmond, Virginia, relating to the period of the company are extremely few in number. Fortunately the original documents, which are in the Library of Congress, were borrowed or abstracted from the state house in time to save them from destruction during the Revolution or by fire in 1865.^b There are, however, two volumes of original records in the Virginia State land office containing grants of land in 1623 and 1624, which were evidently entered by William Claybourne, at that time surveyor for the colony. The history of contemporary documents before 1625, which are located in the district of the old settlement, may thus be briefly told.

The valuable collections of the Virginia Historical Society in Richmond embrace the John Randolph of Roanoke transcripts described above, while the State library has three sets of transcripts and one set of abstracts from the British Public Record Office. Of the latter the De Jarnette papers, 1606-1691, include only

^a All of these papers are included in the List of Records.

^b William G. Stanard, "The Virginia Archives" in the *Report of the American Historical Association*, 1903, I, 645-664.

a few of the documents of interest; in the Macdonald and Winder papers are full and careful copies of several of the long and important documents, following generally the orthography of the originals; while the Sainsbury abstracts contain comparatively full outlines of those documents included in the *Calendar of State Papers*, Colonial Series.

MANUSCRIPTS IN THE NEW YORK PUBLIC LIBRARY

The New York Public Library is next in importance to the Library of Congress in manuscript material on the Virginia Company and second only to the John Carter Brown Library of Providence, Rhode Island, in publications. In the Lenox branch of the New York Library is to be found a unique set of documents relating to the settlement of Berkeley Hundred in 1619, known as the Smyth or Nibley papers which "are from the collection of Virginia manuscripts originally brought together by John Smyth (or Smith) of Nibley, the historian of the Berkeleys, who was born in 1567 and died in 1641. The collection comprises over sixty papers, original and contemporary transcripts, relating to the settlement of Virginia between 1613 and 1634. After passing into the hands of John Smyth the younger, and more recently into the Cholmondeley collection at Condover Hall, Shropshire, the manuscripts were offered for sale in January, 1888, by Mr. Bernard Quaritch, from whom they were lately bought and given to the New York Public Library by Mr. Alexander Maitland."^a With the exception of the manuscripts in the Ferrar collection relating to Smyth's Hundred, these form the only extant records of the important movement for private plantations in Virginia under the régime of the company. Two other valuable documents are now in the possession of the Lenox Library,^b the holographic letter of John Pory, secretary of the colony, dated September 30, 1619, and Commissioner John Harvey's declaration of the State of Virginia in 1624.

COLLECTIONS OF AMERICANA

The manuscripts in the Library of Congress, the Smyth or Nibley papers in the New York Public Library, and the patent books in Virginia are the only original records of the company or of the colony previous to 1625 now in America. But there are two public collections of Americana which are extremely valuable for this period: The John Carter Brown Library in Providence, Rhode Island, which contains only books on America published before the year 1800, and the New York Public Library.

^a Quoted from the *New York Public Library Bulletin* (1897), I, 68, and (1899), III, 160.

^b List of Records, Nos. 133 and 640.

In the John Carter Brown Library are two royal proclamations, which are the only documents of the character for the period in America; while a declaration of a division of land in 1616, which is a supplementary pamphlet in the *Declaration by the Company* of June 22, 1620, has no duplicate in existence, although there is an imperfect copy of the latter in the British Museum. The copy of the 1620 declaration in the Lenox Library is also unique, since it contains a different supplementary pamphlet of which there is but one other to be found, neither of which has heretofore been noted.^a It is a declaration of November 15, 1620, concerning the dispatch of supplies, and proves by its date that this is a later edition of the declaration of June 22. The John Carter Brown Library also contains a unique treatise by John Brinsley, bearing the date 1622, the only other copy of which is in the Lenox Library. It has also two sermons, one by Patrick Copland, entitled *Virginia's God be Thanked*,^b with duplicates in the possession of Edward E. Ayer, and of the Pequot Library, Southport, Connecticut, and one by John Donne, of which there are copies in the Lenox, the Ayer, and the Congressional libraries. In addition to these rare books, the Declaration of Edward Waterhouse of 1622, containing "The Inconveniences that have happened, 1622," and *Observations to be followed for making of fit roomes for silk worms*, 1620, including "A valuation of the commodities growing and to be had in Virginia; rated as they are worth," are to be found in the Providence collection, while the latter is also in the Harvard and the Lenox libraries.^c In the same year a *Treatise on the art of making silk* was published by John Banoeil, containing a royal letter of encouragement to the Earl of Southampton, now to be found both in the Brown and the Lenox libraries.

The New York Public Library is second only in value to the John Carter Brown Library for this subject. In addition to the books noted above it contains two unique publications of the company, the first is a broadside of May 17, 1620, which is the only copy known to the Editor. A catalogue of Bernard Quaritch, in

^a The other copy is in a private collection in New York. This library has also the first editions of the declaration of 1620; the treatise by Banoeil, reprinted in 1622, containing the letters of the King and of the council; Patrick Copland's *Virginia's God be Thanked*, and his *Declaration how the monies were disposed*, published in 1622; Edward Waterhouse's *Declaration of the State of the Colony*, 1622; John Donne's Sermon, 1622.

^b There is a manuscript copy of this sermon in the Library of Congress.

^c "The Inconveniences" was published separately as a broadside, and copies are to be found in the Lenox Library and in the collections of the Society of Antiquaries, London. A copy was in the Cholmondeley collection, which is probably the one mentioned in the Quaritch catalogue of May, 1887. This, as also a copy of the *Observations*, was sold to Mr. Kalbfleisch. The supposition that it was originally published as a part of the Declaration of Edward Waterhouse does not seem valid, since the John Carter Brown copy is the only one containing the broadside, and the page in that case has evidently been trimmed and inserted.

May, 1887, describes such a broadside, which is known to have been purchased by Mr. Kalbfleisch. The second is *A Note of the Shipping, etc., sent to Virginia in 1621*. The Cholmondeley copy of this also was sold by Mr. Quaritch to Mr. Kalbfleisch.^a A third copy of the same is in the collection of printed broadsides of the Society of Antiquaries in London.

The volumes of printed material relating to the Virginia Company, which are in the Harvard Library, have been mentioned above.

Two private collections deserve mention for their comparatively large number of important publications of the company, the private collection in New York and that of Mr. Edward Ayer, in Chicago, Illinois.^b In addition to twenty other rare publications of the company Mr. Ayer has a unique book entitled "Greevovs Grones for the Poore," 1621. It refers to the Virginia Company in its address only, and in the statement of the number of poor that had been sent to Virginia, but is of value for an understanding of that movement. The other private collection is of about the same size. It contains the duplicate of the 1620 declaration in the Lenox and the only known copy of a four-page tract entitled "Declaration how the monies were disposed (being) collections for the Grammar Schooles," by Patrick Copland.^c

^aIn the catalogue of Bernard Quaritch for May, 1887, the broadside of May 17, 1620, and the Note of the Shipping, 1621, are both noted as being unique since each contains the final clause: "Who-soever transports himself or any other at his own charge unto Virginia, shall for each person so transported before mid-summer, 1625, have to him and his heirs forever 50 acres of land upon a first and 50 acres upon a second division." A copy of the Note of the Shipping, 1621, in the Cholmondeley collection is similarly described in the fifth report of the Historical Manuscripts Commission, page 341. The Quaritch copies were sold to Mr. Kalbfleisch, whose collection went to Mr. Lefferts, and finally through the dealers, Geo. H. Richmond or Dodd, Mead & Co., either to a private collection or to the Lenox Library. But the Lenox copies either do not correspond to these descriptions or were not purchased from Mr. Lefferts. The volumes of the Lefferts collection, which were not sold in America, were sent to Sotheby, England, but Mr. Eames of the New York Public Library states that no early Virginia material was allowed to return to England.

^bThe collection of Americana belonging to Mr. Ayer is open to the public through the Newberry Library. For the early Virginia material of the library see Index under "Ayer, Edward."

^cThis tract is described in the Appendix of the Fifth Report of the Historical Manuscripts Commission, as follows: "A Declaration how the monies, viz., 70^l, 8s. 6d., were disposed, which was gathered (by Mr. Patrick Copland, preacher in the Royal James) at the Cape of Good Hope (toward the building of a free schoole in Virginia) of the gentlemen and mariners in the said ship; a list of whose names are under specified, &c. 4^{to} 7 pp. Imprinted at London by F. K. 1622."

TRANSCRIPTS IN THE NEW YORK PUBLIC LIBRARY

Other attempts have been made to secure resources for research in America. Not only is there the aggregation of excerpts from the English documents in Richmond, as described above, and the acquisition of transcripts in the Library of Congress within recent years, but half a century ago a similar interest was displayed by collectors and historians in New York City, forming three collections which are to-day in the Lenox Library.

William H. Aspinwall, a merchant, secured among other papers the Chalmers collection of letters and documents relating to Virginia from 1606 to 1775. They were in turn sold to Samuel Latham Mitchell Barlow, a lawyer and notable collector of New York City, from whom a part were purchased by the library, while others came to the Lenox with the Bancroft transcripts in 1893. Chalmers had been a clerk in the State paper office and seems to have taken these extracts, outlines, and sometimes full copies from the Plantation office papers, since he continually refers to them in his *Political Annals*.^a They are modernized transcripts, failing to follow the early orthography, abbreviations, and capitalization. The writing is cramped and often almost illegible, while the table of contents is incomplete and useless. They comprise (1) a series of brief outlines of Privy Council orders; (2) extracts from the Dudley-Carleton papers; (3) outlines of additional Council orders; (4) a calendar of certain of the colonial State papers; (5) outlines of council orders dealing with other trading companies. All of the original documents are at present in the Public Record Office and are noted in the Bibliographical List of Records following.

The Bancroft papers relating to Virginia and the Simancas Archives are well bound, clear, and apparently careful, correct, and full copies of the documents included. The first two volumes of the Bancroft collection bearing on the Virginia Company are transcripts of many of the documents in the State paper office, probably made in 1852 by Noel Sainsbury, but the list is not complete. While the peculiar and characteristic signs of abbreviation are not followed, the orthography seems to be accurate throughout. Furthermore, the collection includes the document entire, unless otherwise indicated. The table of contents is careful and correct.^b The "Simancas Archives" is a volume of transcripts of "Papers in the Simancas Archives relating to the History of Virginia and other portions

^a See a statement by Victor H. Paltsits, April 14, 1896, inserted in the first volume of these papers now in the Lenox.

^b The documents transcribed in both the Chalmers-Barlow and the Bancroft volumes are noted in the List of Records under "Remarks."

of America between 1608 and 1624, made for Alexander Brown and many of them used by him in his book, *The Genesis of the U. S.*" The only document relating to Virginia which is not reproduced in that collection is a repetition of the proclamation of the King of England concerning tobacco, bearing the date November 12, 1624.

COLLECTIONS IN ENGLAND

FERRAR PAPERS

The most unique collection in England for the study of the Virginia Company is that in the possession of Magdalene College, Cambridge. As the property of Nicholas and John Ferrar, who were second only to Sir Edwin Sandys in their activity in the company, it would be invaluable; but its importance is further enhanced by the fact that it contains the correspondence and papers of Sir Edwin Sandys himself. These seventy-eight papers, which are either records of the company or vitally concern it, cover the period of the Sandys-Southampton influence from 1617 to the summer of 1623. They were the property of Dr. Peckard, master of Magdalene College in 1790, and were bequeathed to the college upon his death. It is probable that the greater part of the collection came from the Ferrar family through Dr. Peckard's wife, Martha Ferrar, the great granddaughter of John Ferrar, since the Virginia papers form but one-third of the group. The remaining papers concern family affairs only, and date from 1601 to the middle of the eighteenth century. Some of them are doubtless those received from the Earl of Dorset by Dr. Peckard, when he was preparing his *Memoirs of Nicholas Ferrar*.^a

The first knowledge of the Ferrar papers in later years was communicated to the Virginia Magazine of History by Michael Lloyd Ferrar, Little Gidding, Ealing, England. He sent a number of transcripts and photographs of letters to the magazine for publication, among which were some half dozen bearing on the affairs of the company, but the number which he was permitted to reproduce was limited by the college. While Mr. Ferrar was completing a history of the Ferrar family the entire collection was deposited at his home, and it was therefore in Ealing in the fall of 1903 that the Editor was first permitted by the authorities of the college to "see and note the contents" of the papers. Before the following summer Mr. Ferrar had died and the collection had been returned to Cambridge, where complete transcripts of all letters and photographs of all documents relating to the Virginia Company were made for the Library of Congress under the supervision of the Editor.

^aIn this work Dr. Peckard states that the Earl of Dorset had had his library searched and had sent him a few loose papers belonging to the Virginia Company.

These papers are loose, many of them being much damaged, and it is apparent that they are a part of a larger collection which must have been neglected while in the possession of the family. There are some envelopes without letters, many rough memoranda by both Nicholas and John Ferrar, some account books, and some rough drafts of petitions to the House of Commons and of discussions on the silkworm. The autographs which they furnish of both Nicholas and John Ferrar have been of no little interest, as well as value, for the identification of other papers in the Public Record Office, and in the Library of Congress. Furthermore, the proof that Nicholas Ferrar himself supervised the transcript of the court book is thus gained.

In this collection are twenty-three papers which are veritable records of the company.^a Two documents give our only knowledge of the financial affairs of Smythe's Hundred, slight indeed, but from them comes additional information concerning the system of organization of the societies for private adventure. Sundry other unique though scattered documents are among these papers, such as receipts for money expended, showing the method of business, reports of committees, and of proceedings of the commissioners, revealing the bitterness of the factions, drafts or original records of certain courts, forming the only proof of the accuracy of the copies of the court books, and three new proceedings of the courts of the Somers Islands Company. One of the latter is evidently a blotter and reveals the methods used in keeping the court book. The *quo warranto* in English, which was served upon the treasurer and company, would have been of the greatest value had not the original record of the suit in the King's Bench just been discovered. Another document of great value is the receipt referred to above, which proves that a court book was regularly kept by the company from its very beginning. It reveals how much has been lost.

The series, consisting of twenty letters from Sir Edwin Sandys to John Ferrar, shows more clearly than any other documents we possess^b who the real managers of the affairs were and what was the spirit of the Sandys faction. The absolute confidence which Sir Edwin Sandys had in John Ferrar and his great love for both of the brothers is significant. Moreover, the knowledge of the affairs of the company, the careful watch over every act and movement affecting the business, the deep and earnest plans for the advancement of its interests revealed in these letters prove that Sir Edwin Sandys was the keen financial manager of the undertaking. It was evidently he who determined what the policy should be; he was apparently the statesman

^a List of Records, Nos. 76, 138, 164, 258, 259, 303, 304, 394, 421, 423, 470, 479, 539, 541, 543, and the *quo warranto*.

^b For these letters see *Ibid.*, Nos. 120, 131, 135, 136, 171, 181, 191, 197, 211, 219, 271, 275, 282, 307, 315, 316, 317, 364, 368.

and the politician, directing the method of address to the lords of the council or the attitude to be assumed toward the Crown, controlling the courts so that he might be present when there was danger of faction, concealing the information received from the colony when he feared it would entail criticism. Much of the personal feeling and animosity that existed is here shown, and much also which reveals actual financial conditions.

The last group of these papers comprises thirty-five letters, all but one or two of which were written by planters or adventurers, resident in the colony, to Sir Edwin Sandys.^a Of these, five came from Governor Yeardley, ten from either John Pory or George Thorpe, secretaries in the colony at different times, and two from the cape merchant; of the remainder, at least ten are from colonists whose opinions and reports have not reached us in any other way. These letters are as full of complaint with regard to the insufficient supplies sent with new planters, as are the letters in the Manchester papers which Sir Nathaniel Rich and the Earl of Warwick used as a basis of accusation against the management of the company, but they differ from the other complaints in that they are kindly in spirit. Mr. Pory's letters are full of definite information concerning the affairs, needs, and hopes of the colony, while Governor Yeardley also gives some valuable statements with regard to new settlers, the council, the relations with the Indians, and the government of the colony; both complain of the scant provisioning of the new settlers. The burden of the Yeardley letters, however, is the investigation of the affairs of Captain Argall and the consequent criticism drawn upon himself from Lord Rich. Unfortunately, comparatively few additional data are afforded concerning the Argall affair either by Pory or by Yeardley. The planters themselves tell much of their condition and of the districts in which they have settled, but the theme of their letters is most likely to be a demand for promised payments or a complaint as to the scarcity of provisions and clothes. The attitude toward Yeardley is generally favorable, John Rolfe alone supporting Argall and criticizing the governor. As from all correspondence of such a character, new ideas are gained, new points of view, and often additional knowledge of relations with the Indians and with one another. Many of these letters are annotated by John Ferrar, revealing the degree of importance which he attached to their various and often conflicting statements.

PUBLIC RECORD OFFICE—MANCHESTER PAPERS

A class of documents, very similar in character but of quite different spirit, is the Manchester papers, now in the Public Record Office, London. Robert, Earl of Warwick, and his cousin, Sir Nathaniel Rich, were both members of the company.

^a For these letters, see List of Records, Nos. 93, 94, 115, 119, 134, 153, 156, 158, 166, 173, 179, 180, 235, 238, 239, 241, 243-250, 252-255, 285, 343, 466.

Sir Nathaniel was a leader in the Warwick faction, while Earl Robert, after the dissolution of the company in 1624, became a member of the council for Virginia. The third wife of the Earl was Eleanor, Countess of Sussex, daughter of Richard Wortley, and she, after the death of the Earl of Warwick, married, as her fourth husband, Edward Montague, second Earl of Manchester. Thus it is that the Kimbolton manuscripts, which are the records of the Duke of Manchester, contain a large collection of petitions, declarations, memoranda, letters, and lists which emanated from the Warwick faction of the Virginia Company.^a Many of these are holographs of Nathaniel Rich and Alderman Johnson, prime movers in that conflict. Henry Montague, Viscount Mandeville and later Earl of Manchester, was at one time lord president of the Privy Council. Therefore many of the Manchester papers may have belonged to him. The autographs, however, identify those which concern the Virginia Company as having belonged to Nathaniel Rich.

The Manchester and the Ferrar papers therefore present the two sides of this conflict, not in open court or even in private contest, but in the private documents and memoranda of the leaders. The collections are of about the same size, there being sixty-six papers in the Manchester series, to seventy-eight in the Ferrar group. These, also, are unbound, but since the greater part are rough notes of documents, or drafts of propositions or speeches, they are much more difficult to decipher than the Ferrar papers. Indeed many of them are almost illegible, and not a few are unintelligible, having no connecting thought.

A dozen of these papers may be considered documentary; that is, rough copies of letters, petitions, and declarations, or of acts of the company, or of its members and officers in an official capacity. A few of these only are to be found among the other records of the company. Like the rest of the set, they, almost without exception, concern the accusations against the Sandys-Southampton management. Three of them are petitions or letters concerning the extent of the tobacco trade, but the rest are petitions to the King against one faction or the other, and answers to those petitions. Of these, one of the most important is a copy of the opinion of counsel concerning the powers conferred on the Virginia Company by the several letters patent.^b Accusation and defense are set forth in these documents, but the headings of speeches, the drafts of propositions, and the notes from documents on which the arguments are based proclaim the motives and methods of the accusers. No proof could be clearer than these memoranda by Alderman Johnson and Nathaniel Rich that the company was to be overthrown by fair means or foul. In two or three papers are carefully prepared lists of alleged evil deeds of Sir

^a These Manchester papers are calendared by the *Royal Commission on Historical Manuscripts*, Report VIII, Part 2.

^b List of Records, p. 140, No. 170.

Edwin Sandys and catalogues of the faults and errors of the company, while the criticisms of the policy and of the management of the company are set down in order, based on letters from colonists, of which there are eleven in the collection. In these criticisms and drafts of propositions much information is afforded concerning the management, organization, and condition of the colony and company. Thus, various books kept by the company during Sir Thomas Smythe's time, and not otherwise known, are mentioned.^a Five or six rough drafts of propositions concerning the tobacco and salary question are also to be found here, as well as numerous statements of sums adventured, of the number of men sent to the colony, lists of members favorable to one faction or the other and candidates for office from both parties. Many of the rough notes of both Johnson and Rich furnish the only source of information concerning the directions given to the commissioners appointed by the Crown to investigate the condition of the company and of the colony and their acts and reports, but a fact of greater significance is this, that the Warwick collection contains a dozen rough drafts of directions to those commissioners, of charges against the company to be sent to that body, of preliminary reports concerning the government of Virginia, and of projects for the settlement of the government and the colony. The source of the schism is here revealed, and the accusation by Sandys that accuser and judge were one is justified.^b

COLONIAL AND DOMESTIC STATE PAPERS

The other large group of Virginia records, consisting of over one hundred and twenty separate documents, is found among the colonial and domestic papers deposited in the Public Record Office. The source of this collection is uncertain. Much of it came from the Plantation Office, and perhaps from the Privy Council Office. The consolidation of depositories took place in 1578, but the efforts of Dr. Thomas Wilson, the first clerk of the papers, to force the previous and incumbent magistrates to hand over all documents to the State, were evidently often unavailing, and hence it was that the creation of a State Paper Office was not really accomplished until the period of the company. After Sir Thomas Wilson succeeded his uncle during the reign of James I the aid of the King was much relied upon, and, though partially successful, the recent revelation of quasi-public documents in private collections shows that not only earlier but later officials considered papers of record private property.^c Thus some of the Salis-

^a List of Records, No. 438.

^b A letter from Sir Edwin Sandys to John Ferrar, cited in the List of Records, No. 317.

^c Scargill-Bird, *A Guide to the Documents in the Public Record Office*, Introduction, p. xxxvi. See also W. N. Sainsbury, "Calendar of Documents relating to the History of the State Paper Office to the year 1800," in the *Deputy Keepers Report*, No. 30, Appendix, No. 7, pp. 212-293.

bury papers, which Wilson failed to secure, are now at Hatfield House; and others have passed with the Lansdowne collection into the British Museum, where they are known as the Burghley papers. Similarly, the Cottonian papers in the Museum originally belonged to Sir Robert Cotton in the time of James I.

Among the State Papers deposited in the Record Office are the letters to John Ferrar, dated from Virginia in April, 1623, which may have been seized by the commission appointed on May 9, 1623, to investigate the affairs of the company. There, too, are found the attested copies of letters and records in the colony which concern the Harvey Commission, sent to the commission in England by Edward Sharpless. A few of these papers seem to have belonged to the company, such as the documents pertaining to the Walloons and dated 1621; Pory's report from Virginia, in the same year; and two copies of documents by Collingwood, dated the latter part of 1623.^a All of these facts lead to the conclusion that a part of the records of the commissions, and a part of the confiscated records of the company are here deposited. If so, where are the remainder of these most valuable documents?^b

The colonial papers and the domestic correspondence include about forty-eight which are records, and about nineteen which are documentary in character. The first group contains, among other papers, many of the petitions and letters addressed to the King and to the Privy Council, and many others of the council. It is thus apparent that the royal correspondence of the Privy Council and the Privy Council papers which should accompany the register are in this collection. To the second group belong those papers which contain projects presented by individuals and answers to such propositions, lists of adventures for the company, and also lists of men sent to the colony and of lands granted in Virginia. Among these papers are seven letters from colonists, in addition to about fifty which may be considered subsidiary correspondence in that they refer incidentally to the affairs of the company. Such are the Mandeville-Conway, Middlesex-Conway, Chamberlain-Carleton, Conway-Calvert, and Nethersole-Carleton letters.

RECORDS OF COURTS

In the libels of the admiralty court, instance and prize, are found records of suits in which the Virginia Company is plaintiff. As a part of the controversy in which William Wye appears as defendant is the suit of Yonge *vs.* Roberts; while the fragment of the record of the Earl of Warwick *vs.* Edward Bruister

^a List of Records, pp. 145, ff., Nos. 227, 243, 444, 520, 579.

^b For a discussion of the fate of the missing records and the probability as to their existence, see ch. V, *post.*

concerning the trouble over the ships *Neptune* and *Treasurer* completes the list of cases in that court which in any way affect the Virginia Company. The latter is so torn and defaced that but for an occasional date or fact, it affords no information of value. Among the other formal material of the suit against Wye are two valuable documents, namely, the commission given to Wye and a letter from the treasurer and council to Sir George Yeardley, dated June 21, 1619. In the latter are valuable references to Argall, and the complaints against Wye, though torn and illegible, reveal something of the loss estimated as resulting from the failure to settle the passengers in Virginia. These records of the admiralty court have not heretofore been published, although they were cited by R. G. Marsden in his discussion of those documents.^a But the chancery files, which have furnished the records of suits by the Virginia Company, have only just been indexed, and hence the documents have not heretofore been known.

The record of the *quo warranto* suit by which the Virginia Company was overthrown has been erroneously declared to be not extant, a mistake due to a difference in view with regard to the court out of which such a writ would be issued and as to the court in which the writ would be returnable. Hence the search for the document has hitherto been conducted in the Petty Bag of the Chancery instead of in the coram rege roll of the King's Bench. It was in the latter roll that the full record of the writ, the pleadings, and the judgment were discovered by the Editor in the fall of 1903.^b In *A Guide to the Documents in the Public Record Office* Mr. Bird gives the following explanation of the *placita de quo warranto*: They "consist of the pleadings and judgments on writs of 'quo warranto' in nature of writs of right on behalf of the King against those who claimed or usurped any office, franchise, or liberty. The pleadings and judgments on writs of 'quo warranto' or of 'quo titulo clamat' took place in the King's Bench or the Exchequer and are enrolled on the 'coram rege rolls' or the 'memoranda rolls' accordingly."^c The statement in the court book of the company is that the "company had been served with process out of the King's Bench by virtue of a quo warranto." It was this clue and that from Mr. Scargill-Bird that led the Editor to conduct the search successfully in the coram rege roll.

In the Record Office are also the docquet books, which afford some knowledge of the grants of the King affecting the customs on tobacco, and the patent rolls,

^a R. G. Marsden, "Records of the Admiralty Court" in the *Transactions of the Royal Historical Society*, new series, Vol. XVI, 90-96. Many parts of these records are undecipherable, and as a result the transcripts made for the Library of Congress are incomplete.

^b For a discussion of the content of the document, see *post*, p. 103.

^c P. 166.

which contain the letters patent of 1606, 1609, and 1612. In the colonial entry books and among the proclamations of the King are orders of the Privy Council and of the King, all of which are recorded in the Privy Council register.

PRIVY COUNCIL REGISTER

Since the Privy Council took no direct part in the affairs of the company between 1617 and the summer of 1622, its orders related to those regulations which would enable the acts of the company to advance the interests of the kingdom, leaving absolute power to the company as the proprietor. Thus fully one-half of its thirty measures during those five years were reprieves of prisoners, with the warrants necessary to send them to Virginia or orders enabling children to be transferred from the cities of the kingdom to the colony. During this period the Crown commenced its attempts to secure a revenue from the tobacco trade, and a series of orders finally resulted in the approval of the contract with the company in February of 1622/3. In its foreign and external relations the company was of course subject to the action of the Privy Council, and hence the orders in council concerned the contest with Spain over the attack of the *Treasurer*. Furthermore, the disagreement with the northern colony concerning fishing privileges had to be adjusted by the council and resulted in the renewal of the patent to the northern colony and in regulations as to rights of fishing. It was in the summer of 1622 that the first movement was made which brought the difficulties between the factions into the open board. The petition of John Bargrave against Sir Thomas Smythe, Alderman Johnson, and others, in which they were accused of mismanagement, resulted in the defeat of Bargrave six months later, as was to have been expected from the hostility of the Crown to the party in Parliament led by Sir Edwin Sandys, of which Bargrave was evidently a member at that time. But the storm broke in the following April, when the commission was appointed to inquire into the true state of the Virginia and Somers Islands companies. From that date until the dissolution of the company in the summer of 1624 the council busied itself with the affairs of the company. No less than 31 orders are recorded which create commissions and empower them to investigate both the colony and the company and in the end to assume the functions of government in the name of the Crown, while seven of these documents pass directly between the council and the colony, and no other measures were considered except those which enabled the Warwick faction to tear down the work of the adventurers and to take into its own hands the control of the entire business. These forms of government, planned by the Crown and the commissions here recorded, by which the authority was vested in the commissioners and later in a committee of the Privy Council, stand for the beginning of royal control. Here-

tofore, with a few exceptions, these orders have been known only through the calendar of state papers, and even then not more than one-half have been included.

The Privy Council Office and its records are located in the treasury building, Whitehall, London; the registers of the council orders are kept in the clerk's office but all of the early registers are properly about to be transferred to the Public Record Office. These registers contain the orders of the council, and, after Charles I, also the petitions received and the letters issued by the council. In the earlier reigns such documents were not recorded; whether they were even preserved as public documents is not certain, although, as stated above, many of them have found their way to the Record Office and are there calendared among the colonial, domestic, or foreign papers. There is a collection of such original material, dating from the close of the seventeenth century, in the treasury building.^a

BRITISH MUSEUM

The collection of manuscripts from which the most valuable returns might be expected is in the British Museum. The documents there deposited are small in number but they are of great value, and none of them have heretofore been printed. The originals of the precedents for patents of the Virginia Company, which are now noted for the first time, evidently formed a part of the records of the company, and it may be that they are some of the copies of the records made under the supervision of Nicholas Ferrar, or they may be the drafts of patents which were filed by the company according to an order of its court. Not only is the writing similar to much of that in the contemporary transcripts of the court book, but they are unsigned copies, and the headings of a number of them seem to be in the autograph of Edward Collingwood. The caption of the series shows that the copies were made for the sake of preserving the form, and reads as follows: "Presidents of Patents, Grants & Commissioners by the Virginia Company. 1621."^b The company thus preserved the legal form of the various grants. Four of them are of value not only for the form but for the knowledge they furnish of the distinction made between the four classes of adventurers: those who paid money into the treasury and agreed to plant one hundred persons, those who established a private plantation, those who were private planters, and those whose "shares exceedinge 50 ac^r are exempted from payinge any Rent to y^e Company for the persons they transporte." In addition certain knowledge is afforded concerning the grants. Two out of the other nine documents are commissions granted to owners and masters of ships for voyages to Virginia, by

^a The clerk's office is entered from Downing street, but the library containing the original documents must be reached through the main entrance on Whitehall.

^b "List of Records," pp. 149 ff., Nos. 256, 257, 267, 276-278, 298, 299, 323-325. The volume is catalogued as *Additional MSS.*, 14285.

which they are to transport passengers to Virginia. Another is a covenant by the company to pay for the victualing and transporting of passengers, while still another is for the transporting of goods only. Other forms are those used for granting rights of fishing on the coast of America, for voyages to Virginia, and free fishing along the shores, and others still for discovery, fishing, and trading in furs in Virginia. The covenant signed by William Ewens in which he agreed to fit out the ship *George* reveals the form of contract required of the masters of ships by the company.

These papers form the last group in a volume which contains "A Catalogue of the Nobility of England in the time of King James the first," 1626, and "A list of all the Officers belonging to Courts of Justice the Kings household & Reuenuē wth their seuerall fees." There are several signs for identification, but none which indicate the original owner of the volume. It is a small quarto in leather, bearing the signature, "H Cowle A. 29," on the inner cover, and also the arms of James Bindley with the motto, "unus et idem." At the bottom of the same cover is written the following: "Purchased at the sale of W. Berwicks library at Sotheby's, 27 Apr. 1863. (Lot 427)," while on the second fly leaf in the upper right-hand corner is the inscription: "The gift of M^r Dan^l Prince, Bookseller. Oxford—July 23^d 1776." Farther than this the history of the papers is unknown.

Another set of documents in the Museum is also unique. One of these supplies all that is known outside of the court book and a single reference in Argall's register book regarding the controversy over the grant of land to John Martin in Virginia. The other letters from Martin to his brother-in-law, Sir Julius Cæsar, written in December, 1622, give startling suggestions with regard to an ideal policy for the colony. "The manner howe to bringe in the Indians into subiection wth out makinge an utter extirpation of them . . ." is the heading of the paper in which Martin proposes to disable the main body of the enemy by cutting them off from their sources of supply at home and by destroying their trade. He would thus require two hundred soldiers "Contynuallie harrowinge and burneing all their Townes in wynter." By this means and by gaining a store of grain for two years' supply, he plans for the recovery from the massacre. In order to secure the entire territory from the Indians, in a second letter he propounds a scheme by which the Crown or the company can make a "Royall plantation for gods glory his Ma^{ties}: and Royall progenyes euer happines and the Companies exceedinge good." The responsibility and control was to be thrown upon the shires of England. The fact that the Martin letters have not heretofore been generally known may be due to an error in the catalogue. They appear under the name "Tho. Martin" instead of "Jho. Martin."^a

^aList of Records, Nos. 378, 384, 385.

Two other projects for the advancement of the colony are in the same collection of papers; one by Captain Bargrave, brother of the Dean of Canterbury, is dated December 8, 1623, and the other a year later. The latter relates to the division of income from tobacco between the King, the planter, and the grower, with a reward to those endeavoring to preserve the plantation, but approves the Ditchfield offer. The Ditchfield offer itself is also in this collection.^a Captain Bargrave's proposition for the government of the colony stands midway between absolute royal control and full autonomy of the planters, and holds an important place in the development of the plans from the proprietary to the royal colony. Furthermore, it is rather significant that in the collection of Sir Julius Cæsar are to be found the propositions of Martin, of Bargrave, and the document by which the commission was finally appointed in 1624, to establish the government in Virginia under royal control. Sir Julius Cæsar, having been a judge of admiralty under Elizabeth and chancellor of the exchequer in the reign of James I, became master of the rolls on January 16, 1610/11, and one of the keepers of the great seal on May 3, 1621. His position evidently enabled him to secure a large collection of valuable drafts of documents. This was sold at auction in 1757. One-third of the collection was purchased by the Earl of Shelburne (Lord Lansdowne) from Webb and came to the Museum among the Lansdowne papers.

Two collections of printed material of the company are to be found in England, the British Museum and the Society of Antiquaries. While the British Museum has a large number of the earlier publications, it possesses only the declaration of June 22, 1620, and also the unique note of shipping of 1620, the only other copy of which is owned by the Society of Antiquaries. The collection of that society is rich in royal proclamations, besides possessing a copy of the Note of Shipping, 1621, and of the *Inconveniences* of 1622. The scattering documents to be found in private collections throughout England are often valuable, but nowhere else is to be found any considerable number of papers or any that are of great importance.^b

^aList of Records, Nos. 604 and 733.

^bFor those documents in private collections, see the List of Records. In the concluding section of this "Introduction" will be found a discussion of the collections which have been searched in vain for material relating to the Virginia Company. Furthermore, a statement will there be found of those families in whose possession we should expect to find Virginia records, because of their connection with the men prominent in the company or in the commissions which supplanted the company. A very helpful article, entitled "The Stuart Papers," is published by Mrs. S. C. Lomas, in the *Transactions of the Royal Historical Society*, new series, XVI, 97-132.

4. The Records of the Company under the Sandys-Southampton Administration

ORGANIZATION OF THE COMPANY

In order to comprehend what the records of the company were and what their value, it is necessary to gain an understanding of the system which the corporation worked out in order to further its purposes. The forms and usages of the company after 1619 were determined by the charters granted by the King and by the "Orders and Constitutions" which it adopted in 1619 and printed in June, 1620,^a although the latter were altered or newly interpreted from time to time by action of its courts.

The membership of the company was unlimited and was granted by the courts to anyone who had "adventured" £12 10s. for a share of stock or to whom the company had awarded a share of stock for services.^b The distinction between a member who was free of the company and an owner of land in Virginia was brought out in a controversy on February 19, 1622/3, in which a proposition to limit the adventurers to those approved by the generality met with opposition on the ground that land in Virginia was held in free and common socage and could not be forbidden to any man. But Sir John Brooke, the legal authority in the company, declared that such exclusion was agreeable to the law since it was a question of a vote in a court and not a question of ownership of land. The argument was based on the power to withhold the privilege of voting from Samuel Wroth, who was under censure, and similarly on the power to exclude any man who had purchased land from a member who was indebted to the company until the debts were paid. This discussion also revealed that no oath of fidelity was required in the Virginia Company as in the Muscovy and other corporations. At a later date the King proposed that no member should be free of the courts who had not sent men to the colony as planters, claiming that less than thirty of the adventurers could meet the requirement.^c The power to disfranchise an unworthy member was reserved to the company.

^aList of Records, No 183.

^bMS. Records of the Virginia Company of London, *Court Book*, Vol. I, Nov. 15, 1619.

^c*Ibid.*, II, Feb. 19, 1622/3; I, Nov. 3, 1619.

The members met in four great or quarter courts, held on the last Wednesday except one of each law term. On the Monday preceding they assembled in a preparative court and on every Wednesday fortnight thereafter in a common or ordinary court, as required by the charter of 1612; and they might also be summoned to an extraordinary court by the treasurer or deputy. The meetings were held in the private houses of various members of the company^a until the time of the tobacco contract, when a company house was established.

In the quarter court the adventurers elected all councilors and principal officers of the company and colony, made all laws and ordinances, confirmed all grants of land, settled all questions of trade, and passed all measures which should bind the company for a term of years. Their action with regard to questions of a new charter and of investment for the colony was legal only when transacted in a quarter court, but they might transfer to other courts actions which concerned correspondence with the lord treasurer or similar business. Fifteen of the generality and five of the council formed a quorum for the ordinary courts, and in those they signed warrants, ordered the payment of bills passed by the auditors, and sealed bills of adventure. In that meeting also were perfected commissions for transportation of men and provisions and for trade and barter. Special officers and committees were appointed in this court, and even actions of great importance, such as the dissolution of the magazine or the extension of freedom of the company to honorary members, were consummated.^b

The officers chosen by the company were a council, a treasurer, a deputy, auditors, a general committee of sixteen, a secretary, a bookkeeper, a husband, and a beadle. The adventurers looked to the treasurer or governor not only as the president and moderator, but as the manager of their business interests, and expected him to be responsible for the policy of the company in its relations with the government and to formulate and present plans for the development of the plantation and the profit of the adventurers. To him was entrusted the supervision of the treasury and the collection of moneys.

The care of the court books was given to the deputy. It was his duty to attend to the engrossing of the orders and resolutions of the courts, the registration of letters to and from the company, and the formulation of statements to be given to the public. He also kept the court of the committees and supervised the issue of warrants.

The council was a body, gradually increasing in size, elected for life, and was sworn by the lord chancellor or by the lord chamberlain. In the earlier years it was the most important committee of the generality of the company, but after 1621 its

^a MS. Records of the Virginia Company of London, *Court Book*, Vol. II, May 24, 1623.

^b *Ibid.*, I, Dec. 15, 1619; Dec. 3, 1619; Jan. 12, 1619/20; Feb. 16, 1619/20; Feb. 22, 1619/20.

duties seem oftentimes to have been assigned to the auditors or to special committees. According to the "Orders and Constitutions" its chief care was the preparation of laws for the company and for the colony, the issue of instructions to the governor and council of the colony, and the formation of a preliminary court for the trial of the officers of the company or of the colony. But the practice in the courts was to refer to it those difficult duties for which its titled and distinguished personnel made it especially fit. To it was referred, as a final resort, the examination of the claims of John Martin, the attempts to gain a statement of accounts from the old magazine, and the settlement or arbitration of both the Bargrave and the Argall cases.^a

A body called the "committees" was at first composed of twelve members, six being chosen annually, but later the number was increased to sixteen, four being elected anew each year.^b Its duties were chiefly to attend to the buying and selling of the commodities of the company, and to the furnishing of ships departing for Virginia.

The auditors formed the other important standing committee, composed of seven members, elected annually. The chief duty assigned to them by the "Orders and Constitutions" was that of reducing to a book the receipts and expenditures. The court book discloses the fact that the company imposed upon them the burden of examining all claims against the company, as well as all claims of the company, of investigating the accounts of the lottery and of the magazine, of determining the awards of land or of shares for service or for adventure, of perfecting all patents and grants, and even of investigating controversies, such as the Bargrave and Martin cases and the dispute as to the seal and coat of arms.^c

The other officers performed such duties as usually pertain to those who hold the corresponding titles.^d

As the business of the company increased additional officers were chosen, as those for the control and execution of the lotteries and of the tobacco contract; while the custom of referring important matters to special committees grew rapidly, until in the later years many duties were transferred to them from the council, and even from the auditors. In this way such affairs as the securing of men to send to the

^a MS. Records of the Virginia Company of London, *Court Book*, Vol. I, Nov. 17, 1619; Nov. 3, 1619; June 28, 1620.

^b *Ibid.*, I, May 2, 1621.

^c *Ibid.*, I, June 24, 1619; Dec. 15, 1619; Feb. 2, 1619/20; Feb. 16, 1619/20; May 23, 1620. For a discussion of the seal of the company, see Cooke, "Clayborne the Rebel," in the *Magazine of American History*, New York, Vol. X (1883); and also Baxter, "Great Seal of the Council for New England" in *Ibid.*, Vol. XI (1884).

^d A report of the committee appointed to describe the "particular duties" of the several officers is among the Manchester papers. It is incorporated in the published "Laws and Orders." List of Records, No. 105.

colony, the provisioning of ships, the hearing of petitions, the investigating of claims, the sending of maids to the colony, the planning for new settlements and industries, the representing of the interests of the company in Parliament, the defending of the company in the suit of the *quo warranto* were intrusted to special committees.^a

METHODS OF PROCEDURE

In order to secure legality of action, the "Orders and Constitutions" were read at one quarter court each year, since in those meetings the measures of great importance were determined.^b That the forms and usages followed in other commercial companies, in other corporate bodies, and in Parliament greatly influenced the decisions of the company is seen in the following illustrations: The question as to the entry in the minutes of the names of dissenters or of reasons disallowed by the court except by special order was thus settled according to the practice in Parliament; to prove that individual adventurers would not be liable for the debts of the company in the management of the tobacco magazine, decisions were cited both in a case involving the corporation of Norwich, and in the insolvency of the Muscovy Company; when the question arose as to salaries in the tobacco business involving £100,000, the precedent furnished by all joint stocks of no greater capital than £7,000 was brought forward; the custom of private corporations as well as of judicial bodies of imposing a fine upon any man who spoke against the judge or the court was urged by Lord Brooke as a proper action to be taken against Samuel Wroth.^c Elections were conducted by ballot, except for the council, in which case, as in all other matters, the will of the court was determined by an "erection of hands."

The reward for services rendered by the officers was determined by the court and set down in the Orders and Constitutions. The annual payment to the secretary was £20, to the beadle £40, to the husband £50, and to the bookkeeper £50. Although the chief officials and committees received no salary, at the expiration of the year's term of office it was customary to award 20 acres of land in Virginia to each individual, with the provision that such land should not be sold. The company similarly rewarded individuals who had rendered great service, but sometimes it granted shares of stock instead, or agreed to transport for the individual a certain number of men free of charge. Shares thus given could not be sold below par value of £12 10s.^d Each share carried with it the privilege of a vote in

^a *Court Book*, July 13, December 15, 1619; March 2, 1619/20; June 26, July 7, 12, November 15, December 13, 1620; July 3, October 7, November 6, 1622.

^b *Ibid.*, I, Jan. 31, 1619/20.

^c *Ibid.*, II, Dec. 11, 1622; Jan. 14, 1623; Feb. 4, 1622/23; Dec. 11, 1622.

^d *Ibid.*, I, June 28, 1620; November 15, 1620; May 2, 1621.

the courts and the receipt of 100 acres of land in Virginia on the first division, with a similar amount on the second division providing the first section had been peopled. In addition, the sending of a man to the plantation before midsummer of 1625 entitled the adventurer to 50 acres of land on each division. If a planter had adventured his person only, after three years' residence in the colony the company gave him one share of stock; or if a resident in England had sent a man to the colony who had remained there three years, the one who bore the charge was similarly rewarded. Through reward or by purchase an individual might thus own land and not possess stock, but he might secure the latter within three years by "planting" or peopling his land. The result was that there were five classes of individuals connected with the company.

(1) The old adventurer who had paid at least £12 10s. for a share of stock, and who thus owned, rent free, at least 100 acres of land after the first division which took place in 1616.

(2) The new adventurer who had exactly the same privileges, except that after seven years he must pay 12d. to the company for each 50 acres gained by transportation of settlers.

(3) The adventurer who received a share of stock for service or for adventure of person and who would have the privileges of an old or of a new adventurer according to whether he received the award before or after 1619.

(4) The individual who had received a grant of land for service or who had purchased land and had not yet gained the grant of shares of stock by adventure of his person or by sending out planters.

(5) The individual who had purchased land of a debtor of the company and could not become free of the courts until the debts were paid.

It will thus be seen that ownership of land and possession of freedom of the company were not always coexistent, but that each involved the possibility of the other.^a No assessments were ever levied upon the shareholders, the first suggestion of such a course coming from the Privy Council in July, 1623.^b

RECORDS PROVIDED FOR BY THE COMPANY

The company was thus a body of adventurers, who had gained the freedom of the company by payment of money, by rendering a service, or by settlement of land in Virginia. It was presided over by a treasurer chosen by itself at will, and conducted all of its business through its regularly elected officers or committees, or by special committees. According to the "Orders and Constitutions" it kept

^a "Orders and Constitutions:" List of Records, No. 183. *Court Book*, I, May 2, 1621; June 28, 1620; Nov. 15, 1620.

^b *Ibid.*, II, July 9, 1623.

a complete record of its actions in the courts and compelled its officers and committees to do the same. Provision was thus made for six books which were to contain the following records:

(1) Copies of the letters patents, and also of all letters, orders, and directions from the King and his council, as well as the replies of the company.

(2) The laws and standing orders passed in quarter courts for the company and for the colony.

(3) A register of all patents, charters, and indentures of validity granted by the company, of all instructions issued by the council, and of all public letters sent to or received from Virginia.

(4) The acts of the general courts.

(5) The acts of the committees; invoices of provisions sent to Virginia by the company; the certificates of the receipts to be returned from Virginia; invoices of goods sent from Virginia with the husband's certificate of receipt or defect.

(6) The names of adventurers, by payment of money or by rendering service, to whom shares of land had been given, together with the number of shares belonging to each person; the lawful transfers of shares from one to another; the names of His Majesty's council for Virginia.

(6a) The names of all planters in Virginia on the public and on the private plantations separately, based on the certificates from the governor and council in Virginia and from the heads of each plantation.^a

All of these books were in the custody of the Secretary, and were to be kept in the company's chest, together with the originals of the letters patents and all other papers. In his custody also were the husband's books of accounts of every voyage to Virginia, all accounts approved by the auditors, the canceled and uncanceled charter parties, and all bonds issued to the company.

The proof of the care with which the company kept its records is found in the contemporary copy of the court book, and in a few scattering originals and copies of originals which are preserved among the Ferrar and Manchester papers and in the British Museum. That all of the books required by the orders and constitutions were really kept can not be proved, since not a page nor a copy of a page of many of them is known to be extant; but the copy of the court book serves as an evidence that the laws were as carefully obeyed in this respect as in others. The references in the minutes to many of these records, the insertion of many of them in the copy of the court book, and the continual provision for supplementary records all go to show that the "Orders and Constitutions" furnish a reliable outline of the records kept by the company.

^a A note of such a list of men sent to Virginia during the time of Sir Thos. Smythe is among the Manchester papers. List of Records, No. 443.

The books which the courts added to the list of records from time to time reveal an increasing effort to conduct the business in an orderly manner. Immediately upon assuming his duties as treasurer, Sir Edwin Sandys instituted an investigation of the accounts of Sir Thomas Smythe. In this connection four books and four rolls were prepared containing the subscriptions, which had been made for carrying on the business, and a list of the adventurers with the sums invested during the previous years. The treasurer made a similar request of the deputy, John Ferrar, on September 18, 1620, in which he asked that the secretary and Mr. Carter should make three catalogues of the adventurers indebted to the company in order that they might be given to a solicitor for collection. He throws light upon the customary carelessness by urging that the lists should be made "from the company's books and not from memory," lest many a £12 10s should be lost.^a

On May 17, 1620, three books of the deputy were audited. The first contained an account of the money disbursed for provisions,^b the second, a catalogue of the provisions sent to the colony, and the third, a list of the names of the persons dispatched to the plantation with the trade of each. Because of the erection of private plantations in later years it was necessary that these records should be supplemented. Hence an order of court provided that the names of all persons transported to Virginia should be reported to the company and that a bookkeeper should be appointed to be at the house of the court to register the names before the departure of every ship. This record was to consist of the name, age, country, profession, and kindred of each individual and was to state at whose charge the transportation was effected. Contrary to custom each person was required to pay a fee for registration. A duplicate of the register was to be sent to the Governor of Virginia, but the names of those departing were not to be made public until after the ship had sailed.^c

Provision was made in 1620 for keeping duplicates of all patents issued. A part of this series is now deposited in the British Museum, from which the various kinds of patents and the terms for each may be discovered.^d A registration of all shares passed from one member of the company to another was ordered on November 19, 1621, and such a book was to be used as evidence of the right to be admitted to courts. Other records added from time to time were a book containing the rates of commodities,^e a register of all petitions to the court,

^a List of Records, No. 211.

^b Two warrants are preserved among the Ferrar papers, one addressed to the Earl of Southampton and one to Deputy John Ferrar. List of Records, p. 149, Nos. 258, 259.

^c *Court Book*, II, Nov. 18, 1622.

^d *Ante*, p. 67. "Order of Court," I, June 26, 1620.

^e *Court Book*, I, Dec. 13, 1620; Jan. 31, 1620/21.

with the action thereupon,^a and a record of all covenants between adventurers and indentured servants, a copy of which was to be sent to the governor of Virginia.^b The rolls signed by adventurers must have been numerous. Nine are mentioned in the court book on July 24, 1621, in addition to others cited at various times.^c

With the increase in trade and the establishment of the company magazines new measures were adopted for controlling the business. These often consisted of separate documents rather than books. A statement was thus required of the deputy certifying that the freight had been paid before any goods should be delivered, and invoices were also demanded of the cape merchant.^d Copies of such certificates, as also of the accounts of the treasurer of the various joint stock investments for the glass works and for the fur trade, were kept in the company's chest.^e

THE EXTANT RECORDS—THE COURT BOOK

HISTORY OF THE CONTEMPORARY COPY

The paucity of the actual extant documents of the company has made the circumstances of the transcription of the court book the more interesting and its authenticity the more important.

As the growing controversy between the two factions of the company resulted in serious accusations of mismanagement by sundry adventurers and planters, the Crown soon appointed a commission to investigate the affairs of the company, with a consequent sequestering of all of the company's court books in May, 1623.^f The clear mind of Nicholas Ferrar immediately foresaw the danger of a seizure of the documents of the company, and appreciating full well the value of the "court books, registers and writings, instructions, letters, etc.," as political papers and also as evidences of the possession of land and investment of capital, upon their return by the Privy Council, he "did fairly copy out all the court books, etc. (which cost 50¹¹) and carried them to the noble Earle of Southampton."^g

^a *Court Book*, II, Oct. 23, 1622.

^b *Ibid.*, II, Nov. 18, 1622; Nov. 20, 1622.

^c *Ibid.*, I, May 8, 1622; II, July 4, 1623.

^d *Ibid.*, I, Apr. 3, 1620.

^e *Ibid.*, I, Jan. 16, 1621-22; Feb. 27, 1621-22.

^f *Court Book*, II, May 14, 1623.

^g "Some directions for the collecting materiall for the writing the life of Nich: Ferrar," a manuscript in the Cambridge University Library, Mm. 1.46 (Baker 35), pp. 389-432, especially p. 392.

During the following year the activities of Nicholas Ferrar, as well as the attention of other members of the company, must have been under great strain. The time not taken in attendance "twice or thrice a week"^a upon the Privy Council, and in the attempts to defend the company against the charges of "abuse of its privileges," was evidently devoted to supervising the transcript of the company's records. The attestation at the end of each volume shows that the first was completed January 28, 1623/4, and the second June 19, 1624.^b This was none too soon, for just a week later the Privy Council ordered Deputy Ferrar to bring to the council chamber all patents, books of accounts, invoices of the company, and lists of settlers in the colony, to be retained by the Privy Council chest until further notice.^c A commission had been appointed two days before to take into their hands all "charters, letters patent, grantes and instructions, bookes, orders, letters, advices and other writings concerning the company."^d The company urged in these words that the council should permit the books to remain inviolate: "So by this meanes [that is, by the transcripts] have the Original Court bookes yet escaped purging: And wth all duety wee humbly beseech yo^r Lop^s that they may hereafter be protected from it: And that howsoever yo^r Lop^s shall please for the future to dispose of the Companie, that the records of their past Actions may not be corrupted & falsified." Further, when the council demanded that the Earl of Southampton should surrender to the commissioners his copies of the records, before he sailed for the Netherlands in August, he sent them word, "that he would as soon part wth the evidences of his Land, as wth the said copies, being the evidence of his honour in that Service."^e

How these transcripts were made, and especially what became of them at that time, and where they remained for the following half century can be a matter of

^a Peckard, *Memoirs of the Life of Mr. Nicholas Ferrar*, pp. 89-167.

^b According to the attestation two full courts were omitted, May 30, 1620, and June 1, 1622, and also a part of May 20, 1620. The Robinson abstracts comprise a little more than about one-half of the original records and are much more complete for the later years when the controversy with the King over the tobacco contract and the abuses of the company was being carried on. The part of the court book which reveals most with regard to internal organization, commercial activity, and inner life of the company is not included in these abstracts. Thus such data as that which concerns the trouble with Spain over the *Treasurer*, the suit with William Wye, the accusations against Samuel Argall, the old magazine, the Pierce patent, and many other private grants are not included. Moreover, a comparison of the publication with the original manuscript shows that the John Randolph of Roanoke copy was used almost exclusively, and many inaccuracies have resulted.

^c Order of the Privy Council, June 26, 1624: List of Records, No. 689.

^d The commission was sealed July 15, 1624: *Ibid.*, No. 701.

^e For these quotations see *Discourse of the Old Company of Virginia addressed to the Lords of the Privy Council*, April, 1625. List of Records, No. 759.

conjecture only, based on the divers statements of contemporary authorities. These are three in number:

(1) *The Discourse of the Old Company of Virginia addressed to the Privy Council, May, 1625.*

(2) *The Memoirs of the Life of Nicholas Ferrar by Dr. Peckard in 1790.*

(3) *A Short Collection of the Most Remarkable Passages from the originall to the dissolution of the Virginia Company*, by Arthur Woodnoth, written between 1635 and 1645, and printed in 1651 by Richard Cotes.^a

The *Discourse of the Old Company* gives much the same history of the records as does Dr. Peckard. The facts set forth by the latter were taken from the "Memoirs of Nicholas Ferrar" by his brother John, about 1654, and therefore this work may be considered as based on contemporary authority. According to Dr. Peckard, Nicholas Ferrar, knowing that malice was at work, procured a clerk to copy out all the court books and other writings and caused them to be carefully collated with the original. It cost him the sum of £50, which he thought was the best service he could render the company. After the seizure of all the muniments of the company, and after Lord Treasurer Middlesex had procured sentence against the company, Mr. Ferrar informed Sir Edward Sandys and others of what he had done. These men were greatly rejoiced and advised that the copies be taken to the Earl of Southampton, who was so overcome that he is said to have embraced Mr. Ferrar and to have declared that he valued them as an evidence of his honor more than as evidences of his land. John Ferrar is quoted as having stated that the Earl of Southampton was advised not to keep these records in his house and so delivered them to Sir Robert Killigrew, who left them on his death to Sir Edward Sackville, the Earl of Dorset. Mr. Ferrar continues that the Earl of Dorset died in 1652, but he hopes the records are still in the possession of the Earl's family.^b

Certain it is that Dr. Peckard had a large collection of manuscripts which concerned the Virginia Company, some of which must be considered a part of the records of the company, for such were the Ferrar papers described above which Dr. Peckard bequeathed to Magdalene College, Cambridge. That some of them, at least, came from the Earl of Dorset's family is to be concluded from the statement of Dr. Peckard that the "Duke had had his library searched and found a few loose papers, which he sent to him."^c Some of them doubtless belonged to Dr. Peckard's

^aThis pamphlet is in the volume entitled: *Copy of a Petition from The Governor and Company of the Sommer Islands, with Annexed Papers, presented to the Right Honorable The Councel of State July the 19th, 1651.* London, Printed for Edward Husband, 1651.

^bPeckard, pp. 155-156.

^cSee discussion of the Ferrar papers, pp. 59 ff., *ante*.

wife, Martha Ferrar. But the story of the purchase of the two volumes from the estate of the Duke of Southampton by Colonel William Byrd in 1673 or 1688 for 60 guineas has firm credence through statements of Mr. Byrd himself; and there is no evidence that they came from the Earl of Dorset's family. That they were sent to Tichfield by the Earl of Southampton before he sailed for the Netherlands and there remained until his son's library was sold after his death in 1667 seems probable. Perhaps some of the other records went to Sir Robert Killigrew, as stated by John Ferrar, and even some from which these copies were made.

The statement by Woodnoth, who was a nephew of Nicholas Ferrar, that Sir John Danvers had the transcripts of the records made in order to keep out of the way an indigent man who had been employed by the company as a copyist and who might be persuaded to say something ill of Sandys and of Southampton, does not bear the stamp of truth or even of probability. There may have been a copy made by Danvers, but the internal evidence reveals that the existing volumes in the Library of Congress were not transcribed by any one man, and that the work was accomplished under the personal direction of Nicholas Ferrar.^a

DESCRIPTION OF THE CONTEMPORARY COPY

The contemporary copies of the court books, which are now in the Library of Congress and which may well be called the Ferrar copies, consist of two volumes of large quarto size well bound in rough calf. About 1898 the books were boxed, that is, repaired with new backs without disturbing the sewing. The old labels were pasted on the new backs and bear the title in gold letters on red leather: Record / of the Virgin: / Compan: /, while gold letters on black leather indicate the volume: Vol. / I. / and Vol. / II. / . In the first volume manila strips are pasted from the inner cover to the first and to the last fly leaf in order to strengthen the binding. The paper is of the seventeenth century type, hand-made and uneven in texture. In the first volume there are three hundred and fifty-four pages, with five fly leaves in the front and seven in the back, while the second contains three hundred and eighty-seven pages preceded by three fly leaves and followed by four, with two extra manila pages in both the front and back. The pencil entries on the first leaf of the first volume are as follows: "Records of the / Virginia Company / of London. / Vol I. April 28, 1619 to May 8, 1622. / Vol 2. May 20, 1622 to June 7, 1627. / The above title in hand of / Mr. A. R. Spofford / Sig.: H. F[riedenwald]^b

^a *A Short Collection of the Most Remarkable Passages from the originall to the dissolution of the Virginia Company*, pp. 17-18. The description here given of Southampton's attitude on receiving the books is similar to that given by Dr. Peckard.

^b Mr. Spofford was the Librarian of Congress from 1864 to 1897. Mr. Friedenwald was in charge of the Division of Manuscripts from 1897 to 1900.

Oct. 11 / 97./". On the inside of the front cover of the second volume in an unknown modern autograph is: "p. 366 cf with p. 71 v 3,"^a and on the first manila leaf: "May 20, 1622 / to / June 7, 1624."

The discovery of the Ferrar papers has made it possible to make a final statement both as to the method of the transcription of the documents and as to its accuracy, for the autographs there found of Nicholas Ferrar and also of his clerk or business agent in his private accounts prove indisputably that these two men supervised and carried on the copying of the volumes.^b Particularly in the second volume, where there are many entries of reports of committees, projects, objections, letters, petitions, declarations, and relations by the company or by individuals, the headings, the initial words, even the first line of each document, and sometimes entire documents are in the autograph of Nicholas Ferrar. The rest of the insertion is usually by his assistant, who was perhaps Thomas Collett, his nephew. All of the insertions in the first volume and about twenty in the second are entirely in the so-called Collett autograph, numbering about the same as those superintended by the deputy himself. The way in which these insertions are often crowded in, is evidence that they were copied from the original documents in spaces left for the purpose by the hired copyist.^c

As to the identity of the other three or four distinct autographs, in which the remaining part of the volumes appear, nothing has been determined. The first and third copyists are distinctly different in style, while what appears as the writing of a fourth and a sixth clerk may possibly be identical with that of the first. With the exception of the autograph of Nicholas Ferrar, the whole is clearly, carefully, and legibly written in the characteristic running hand of the period, resembling the chancery hand. The spelling, capitalization, and abbreviations are distinctive and characteristic of each copyist. The use of curved lines to complete blank spaces at the end of the line, and often at the bottom and top of the page, shows the labor expended to make the transcript accurate and complete. The memoranda at the end of the volumes declare that the transcript had been carefully collated with the original "courte booke" and with the authentic documents by the secretaries, Edward Waterhouse and Edward Collingwood, in the first volume, and by Thomas Collett and Edward Collingwood in the second. That the insertions were copied from the original documents is shown by the statement

^a The letter on page 366 is identical with that on page 71 of the fragile seventeenth century papers referred to above as Vol. III, pt. ii, of the *Records of the Virginia Company*.

^b For examples of the autograph of Nicholas Ferrar and of that of his assistant, Thomas Collett (?), see the plates in this volume.

^c For the documents thus inserted in the Court Book see List of Records under "Reference." For an illustration of the insertion of the documents see the plates in this volume.

in the memorandum of volume II that in two instances the letters had been missing for purpose of collation. Many pages reveal the corrections of errors or omissions of the copyist. In most instances this was done by Edward Collingwood himself, though sometimes by Thomas Collett.^a At the bottom of each page is the signature "Conc Collingwood," the abbreviation standing for concordat, as is shown by the word appearing as "Concord:" on page three hundred and fifteen of the first volume.^b

In addition to this internal evidence of accuracy, further proof of the care with which the books were transcribed is found among the Ferrar papers. The records of four courts were there discovered, which are almost identical with those of the same date in the Library of Congress volumes.^c The only differences, and these are not numerous, are those which would naturally result from the fallibility of the copyist, and the apparent custom of the time to ignore the orthography of the original. One is led to believe that these loose pages of courts form a part of the book from which the copy was made. This is shown by the use of larger letters to emphasize certain words, and by Edward Collingwood's corrections of the Library of Congress copy to make it conform to these drafts. Even the omission of one or two lines in the Ferrar copy, later corrected, can be accounted for by reference to these sheets, since in each case it has resulted from the same word occurring in the same place on two successive lines. Furthermore, the directions in the margin of these courts as to where certain documents were to be entered were followed in the transcript and seem to point to these as a part of the original minutes. The autograph of the court held on June 25 is identical with that of the first copyist of the transcript, while the courts of July 4 and July 9 were apparently written by the sixth copyist of the transcript. Among the Ferrar papers are two drafts of a resolution concerning the "Lo Tfer speach touching M^r Alderm. Johnson," which was entered in the court book. One is a rough draft written, altered, and corrected by Edward Collingwood, and bearing the above indorsement by the writer and a similar indorsement by John Ferrar. The other draft is in the autograph of the sixth copyist of the court book, following the above, and is attested by Edward Collingwood. The transcript in the court book is identical with the latter, but the vote is omitted; the substance, however, is given after the discussion follow-

^aFor the evidence that the corrections are by Edward Collingwood, compare the autographs as shown in the plates of Vol. II, *post*.

^bSignatures of Edward Collingwood may also be found in the Public Record Office among the *State Papers Colonial*, II, Nos. 10-11, 13, 19 (II, III). His signature is reproduced from the first Plymouth Patent, June 1, 1621, in the *Massachusetts Historical Collections*, Series 4, Vol. II, p. 163.

^cCompare the plates in Vol. II, *post*. These courts are dated March 7, 1622/3, July 4, 1623, July 9, 1623, January 25, 1623/4.

ing the presentation of the resolution. Thus they seem rather to have been drafts of a resolution which had been presented than of one prepared to be offered. Comparison between these records of courts and a draft of a Somers Islands court, in the same collection, leads to the conclusion that they do not form a part of the blotter or blurred book from which the original book was made, since the latter are much corrected and altered and then canceled diagonally from corner to corner;^a but are rather a part of the original book itself. The reliability of the Library of Congress transcripts is also confirmed by collating them with the original documents, or with other copies of the documents, which are inserted in the court book, and these careful comparisons have shown how accurately Edward Collingwood and his assistants conducted the work for Nicholas Ferrar.^b

THE SYSTEM OF KEEPING THE COURT BOOK

The system by which the minutes of the courts were kept is thus outlined in the minutes; the court book was first drawn up by the secretary, was approved by the deputy, and later accepted or corrected by the court.^c That there must have existed a "Blurr booke" in addition to the various reports or other documents offered in any court is proved by an extract from a memorandum by Sir Nathaniel Rich, which is a warrant requiring all records of the court to be brought to the commissioners on Virginia, and includes the "Court Bookes w^{ch} should warrant the sd Record", and the Blurr bookes w^{ch} should warrant the Court Booke and is the first ground of the Record"; that it may [be] discovered whether there be any difference betweene them."^d The entries in the court book are the minutes of all the various courts, of several meetings of the Somers Islands Company, and of one meeting of the committees.

Introducing each court is a list of the adventurers in attendance. A comparison of the number with the number of votes cast as recorded shows that these are quite complete for the quarter courts, but in the ordinary courts either the attendance was very small or the entry was incomplete, since the list is often terminated with the expression "and divers others." It was sometimes entered later than the transcript of the body of the text, as though from a book of attendance, but no mention of a roll book is found among the records. This part of the book alone furnishes a valuable comment upon the social classes interested in the undertaking and from it may be gained a knowledge of the faithfulness

^a *Post*, Plates in Vol. II.

^b For any variations of importance, see footnotes to documents in the "Court Book," *post*, I, II.

^c *Court Book*, I, Dec. 11, 1622.

^d List of Records, No. 465.

of the members and especially of the factions which developed toward the close of its history.

The order of business does not seem to have been regular. The approval of the previous court is usually recorded first, although many times this is deferred until the quarter court; then follows the report of the treasurer, through which the important matters to be determined are presented to the court, and the hearing of petitions, passing of shares, and grants of land appear at the end of the session.

In the ordinary courts were propounded all of those matters which did not require action in the general court and often many measures for preliminary discussion which were postponed for final action to the fuller court. Thus the records of the common courts and also of the preparative courts usually contain the full reports and discussions of the various subjects, while the statements in the quarter courts are brief and perfunctory, embodying the decisions reached in the lesser courts. The reports of officers, from which so much concerning the financial status is to be learned, are entered in the minutes of the general court. To trace the course of any question necessitates a search through all of the courts, but in the quarter courts will be found the elections and the final action on all laws and ordinances, on the patents for private plantations or monopolies, or, in short, on all measures by which the company would be bound for a term of years.

CONTENTS OF THE COURT BOOK

The business recorded during the first two years of the Sandys administration concerned the establishment of laws and orders in the company and in the colony, the systematizing of methods, the formation of joint stock companies for the erection of new industries in Virginia, and the opening up of new adventures. But after the massacre early in the year 1622, the whole tone of the book changes. Personal feuds and quarrels, complaints, and accusations fill the pages. Whether the friction was due to the extreme distress brought about by the attack of the Indians or whether it was but the excuse for open opposition by the party of the Crown, which had been rapidly developing, is difficult to determine. From the spring of 1622 until February, 1622/3, the burden of the record concerns the tobacco contract with the Crown. It resulted in the discussion of salaries for the officers and the quarrel with Samuel Wroth, which occupied the attention of the company for three months. Then followed the Butler and Johnson accusations, the investigation by the Crown, and the dissolution of the company. It is literally true that, after June, 1622, no new measures for trade, for industry, or for commerce are entered in the court book. There was the usual transferring of shares and hearing of petitions and claims, but the business activity was evidently destroyed. That the colony could survive the

massacre and continue its development with so little encouragement from the proprietor is evidence of the strong foundation laid during the governorship of Sir George Yeardley.

From the court book it would be possible to reconstruct a part or the whole of some of the other records. A list of all of the ships departing or arriving with the names of the masters could thus be drawn up, but the terms of the charter party could not be determined.^a A full statement of the shares of stock granted or transferred, of the land assigned for adventure or for service, and of the private plantations erected could be given. Even a partial financial account could be rendered, though not an itemized statement. The larger sums invested or received from the various sources are usually given in the treasurer's plans and the officers' reports, although unfortunately only those of the treasurer and deputy are entered in full. But from scattered statements in plans, reports, and discussions, from grants, patents, suits, letters, petitions, and claims will come much that will illuminate the financial situation when these are gathered together.

The full record of all documents for which record was not provided elsewhere was made in the court book. Plans, reports of committees, and reports of chief officers seem to have been entered in full, but letters to and from the colony, and to and from the privy council, petitions with the action thereupon, charter parties, grants for monopolies, lists of departing planters, expenditures and receipts of the magazines, and rolls of adventure, were all recorded in the other books provided by the "Orders and Constitutions" or in the books created later. A single illustration will suffice. Of the twenty-seven letters sent to the colony and received from the colony, copies of many of which have been found among the papers in Virginia, but fifteen are mentioned in the court book, and only a few are spread in full upon the minutes. A great many more documents are entered in the court book during the later years, due evidently to the desire to keep a record of the controversy which might serve as a defense against the accusations of the malcontents. That many of these were not entered in the original court book is revealed by the marginal notes in the extant court minutes of the Ferrar papers, which read as follows: "Enter the quietus est," "Enter the resolution," and other similar directions.

The court book is not only a source of information, but it also serves as a guide to the other records of the company. That all of the twenty-one documents mentioned but not entered in the court book have been found in other collections is most important and interesting. These include some of the publications of the company, most of the correspondence of the company with the King and with the

^aThe terms in general are given in the *Presidents for Patents* in the British Museum. List of Records, Nos. 256, 257, 266, 267, 268, 276, 277, and 278.

colony, many of the orders of the Privy Council, the Admiralty suits of the company, the laws passed in the colony, the charter granted to the colony, and the forms for patents used by the company. There are thirteen documents entered in the court book which are on record elsewhere, consisting of declarations or reports which were published by the company, petitions and letters to the King, and orders of the King's council. But thirty most valuable documents are spread upon the minutes which have not yet been discovered among other papers. These include a few petitions to the King, many petitions received by the company, a number of letters from and to the colony, the propositions brought forward in the attempt to form a tobacco contract with the King, the plans propounded by the treasurer for the advancement of the enterprise, and the declarations of the state of the affairs of the company and of the colony by the same officer.^a

THE EXTANT SUPPLEMENTARY RECORDS

DOCUMENTS OUTLINING THE ACTIVITY OF THE COMPANY

The organization and the method of procedure of the company have been outlined, in order to enable the reader to comprehend the nature of the records, and through them the machinery by which it conducted its internal affairs; but there is a wider and more important field to consider. The real interest in the company comes from its activity in carrying on trade and in developing the resources and government of the colony. Again, the starting point must be the court book, not only as a guide to the records which it kept in executing its purposes, but in discovering what activities are to be traced. Two kinds of documents afford the clearest outline of the subject; in one are the reports which the treasurer offered to the company and which are spread upon the minutes; in the other are the printed declarations and broadsides which the company issued for the purpose of securing interest, confidence, and investment in the undertaking. With the same motive it reprinted treatises and published sermons which had been delivered before the company.

The first report of Sir Edwin Sandys after he became treasurer was offered on November 3, 1619, in which he thus defined his policy: The resources of the company were to be augmented by settling and developing the company's land and by increasing the number of industries to be established, an action which must advance the plantation from a colony for exploitation into a colony for settlement. The report begins with a statement of the number of men which had been transported

^a All of these documents, whether entered in the court book or not, are cited in the List of Records, and are also referred to by foot notes in this edition of the court book.

by the company for the college land and for the public land during the summer and continues with propositions to the same effect, by which 300 additional persons should be sent to the colony, 100 of whom were to be maids for wives and 100 to be apprentices or servants from the city. The other measures discussed are indicative of the development which rapidly took place. First of these was the effort to establish other commodities in Virginia and restrain the excessive production of tobacco; the second was the encouragement of a spirit of local patriotism in the colony. The treasurer urges that men should be sent from the low countries to raise fortifications for the colony, stating that the colonists were willing to bear the charges of the work since they had recently been encouraged by the charters and grants of liberties. The dependence of the company upon the lotteries for an income and the care to arrange for an economical transportation of the men are indications of the financial policy and status of the colony. The income of the lottery is estimated at £3,500, and the total expense of perfecting the plan submitted is placed at £4,000 or £5,000.

Six months later the treasurer made his annual report, which revealed to what extent his plans had been executed. It was issued as a broadside under the date of the court in which it was delivered and describes the state of the colony from April, 1618, to April, 1619, taken from a general letter to the company, and then proceeds to outline the successful activity of the colony during the succeeding year. It emphasizes the erection of private plantations, the number of men sent to the company's land, the commodities provided for—there being ten instead of two as in the former year—the interest in the care of religion and education in the colony, and the stable financial condition of the company. The general receipts amounted to £9,831 14s 11d and the disbursements were £10,431 14s 07d, but the surplus in the college fund more than exceeded this deficiency, the receipts from that source being £2,043 02s 11½d and the expenditures £1,477 15s 5d. The lottery was reported to have an increase in stock over the previous year of £1,200. Although not re-elected treasurer, the financial management remained in the hands of Sir Edwin Sandys, as is proved by the entries of his plans in the court book and by his private letters to John Ferrar. A scheme outlined in the court of July 7, 1620, is practically the measure put forth in the printed declaration of June 22, 1620, and proposes a continuation of the policy stated above.

The printed documents of 1619 and 1620 add but little to the plans revealed in the treasurer's reports concerning the activity of the company, although the measures taken to advance the comfort of the planters and of the tenants upon arrival in Virginia, the establishment of many private plantations, and the encouragement given to the self-government of the colony are brought out more clearly. After the note of the shipping in 1621, so far as is known, there were no propositions issued

by the company. This was due to the massacre which paralyzed the efforts of the company for a time and forced upon it publications of defense and excuse or directions of warning. While the company was torn by dissension, after 1622 the colony slowly but steadily advanced. The proprietor was no longer active, and the center of interest is therefore transferred from the courts in London in which the plans had been conceived to the settlement in which they were maturing.

The various publications of the company afford not only an understanding of the measures proposed, but also of their execution. They were in themselves a means of carrying out its schemes. Before 1622 five of these advertisements were issued by the company. The broadside bearing the date May 17, 1620, is a full statement of the prosperous condition in the colony, setting forth the ability of the colony to receive newcomers in its guest houses, newly built in each of the four ancient boroughs and in the other plantations, and describing the measures provided to sustain ministers in each borough. It states the number of men who had been sent to the public land, with the provisions allowed, and describes fully the efforts which had been made to establish six industries in the colony.^a

A book of great importance was issued by the company in June of the same year containing a series of declarations.^b There were at least two editions in the year 1620, having variations in the title page; in the first edition the pages are numbered according to each pamphlet and the imprint is "T. S.," while in the second the pagination is consecutive from 1 to 92 and the imprint is that of Thomas Snodham. The latter varies also in the orthography of the word "colony" in the title. The former was probably the first edition and was composed of pamphlets, each of which may have been issued separately, and seems to have been reissued, with an additional pamphlet concerning a division of land in Virginia,^c in which the signature is consecutive. Copies of the first issue of the first edition of the "Declarations" are in the Harvard Library and in the New York Public Library ("No. 1"), but the only copy of the second issue is in the John Carter Brown Library (copy "A"). The copies in the British Museum, the Cambridge University Library,^d the Library of Congress, the John Carter Brown Library (copy "B"), and the New York Public Library (Thomas Addison Emmet Collection, "No. 2") are identical and are evidently the first issue of the second edition. The copies in the New York Public Library and in a private collection in New York are probably a second issue of the second edition, having four additional pages and containing a

^aList of Records, No. 174.

^b*Ibid.*, No. 183.

^cThe pamphlet must have been printed in 1616. An imperfect copy is in the British Museum.

^dThis copy is evidently imperfect, since it lacks pages 91 and 92.

declaration, "By his Maiesties Councell for Virginia," dated November 15, 1620.^a The pagination and the signature are consecutive but the style of type is changed.

The pamphlets included in all editions are as follows:

(1) "By his Maiesties Councell for Virginia." This is a declaration of the industries which have been established, of the good government which has been formed in the colony so that it "begins to have the face and fashion of an orderly State," and of the purpose of the company in the division of land.

(2) "A Note of the Shipping, Men and Prouisions sent to Virginia, by the Treasurer and Company in the yeere 1619."

(3) "A Declaration of the Supplies intended to be sent to Virginia in this yeare 1620. 18 Julij, 1620."

(4) "The Names of the Aduenturers, with their seuerall summes aduentured * * * paid to Sir Thos. Smith," to "Sir Baptist Hicks," and to "Sir Edwin Sandys."

(5) "Orders And Constitutions, * * * for the better gouerning * * * of the said Companie * * * Anno 1619, and 1620."

Some light is thrown upon these publications by the court book, in which provision for four similar pamphlets was made between November, 1619, and June, 1620, as follows:

(1) An advertisement for laborers, approved to be published on November 17, 1619.

(2) A publication which should confute the slander as to the barrenness of the soil in Virginia, ordered November 22.

(3) A list of the names of adventurers with the sums adventured, ordered to be drawn up by the treasurer and Dr. Winstone, December 15.^b

(4) An apology for Virginia, ordered to be printed June 23, 1620. On June 26 and 28 it was provided that the standing orders should be printed and annexed to the book to be given to all members by order of the council.

The conclusion seems valid that these pamphlets are the ones included in the book and that they first appeared at various times, but that finally in June, 1620, they were collected, the fourth one added, and the volume published under the date of the latter.

The publication of this declaration in four different issues during the year 1620 indicates the interest which Sir Edwin Sandys had aroused in the measure, as well as

^aThis is copy No. 3 in the New York Public Library. The copy in the private library is evidently the Smyth of Nibley volume, secured from the Cholmondely papers through Bernard Quaritch.

^bSuch a list of adventurers is among the Manchester papers. List of Records, No. 58.

the virility of the company, while reference to the book in much of the correspondence of the day reveals the same attitude toward the venture. In order to promote the silk industry a pamphlet entitled "*Observations to be followed for making of fit roomes for silk wormes*," written by Banoeil, was translated under the patronage of the company toward the end of the year 1620.^a It contains a pamphlet called "A Valuation of the Commodities growing and to be had in Virginia: rated as they are worth," in which is presented the astonishing list of 49 articles. The natural commodities which did not require especial cultivation, such as various kinds of fish, furs, woods, shrubs and berries, were of course included. But this proof of rapid development in the industrial habits and occupations of the colonists is most important, and the note of the shipping of the same year and the one in 1621 are confirmatory. In the former is the statement of the number of men sent for each of four industries, and in the latter a similar declaration. The rapid transportation of settlers and the development of private plantations in these two years is as surprising. Thus in 1620 six ships with 600 persons were sent to the colony, and 400 more settlers were to be sent at once, of whom 500 were destined for the company's land. The next year the number of ships dispatched increased to twenty-one and the number of persons to 1,300, while the number of patents for private plantations grew from six to twenty-six.

During the year 1622 the books printed by the company were much less valuable, although more numerous, there being seven in all. *The Declaration of the state of the Colony of Virginia with the Relation of the Massacre of the English, by the Native Infidells with the names of those that were Massacred*, by Edward Waterhouse, was more concerned with the disaster than with the previous development of the plantation.^b A broadside is inserted in the copy of this declaration in the John Carter Brown Library, entitled "Virginia Inconveniences,"^c which was published separately and was a set of directions with regard to the provisions which each person should have before sailing for the colony. This included apparel, victuals, household implements, arms, sugar, spice, and fruit for consumption at sea, and nets, hooks, lines, and a tent for large numbers. The declaration was made that for its own tenants the Virginia Company followed the proportionate provision as set forth in this broadside. It is at once an advertisement for new tenants and a warning against the dangers which had wrought dissatisfaction and brought complaints to the company. Two sermons and two treatises were published in the same year; one of the

^a This translation was ordered in an ordinary court on November 15, 1620, and was reported ready for the press on December 13. In the same courts there is a discussion of the prices of commodities produced in Virginia. List of Records, p. 138, Nos. 150, 151.

^b List of Records, p. 152, No. 293.

^c *Ibid.*, No. 292.

latter was a reprint of Banoeil's book on silk worms, including a letter of encouragement from the King and one of advice from the treasurer, which were intended to promote the industry of silk as opposed to that of tobacco;^a the other treatise was by John Brinsley and was an encouragement for the advancement of learning and the foundation of schools.^b Of the same character was a four-page pamphlet, which was published in the same year, declaring the sums which had been collected "towards the building of a free schoole in Virginia."^c

A number of general works were approved by the company in the courts or were accepted and rewarded. Thus the proposition by Smith to write a history of Virginia on April 12, 1621, seems to have been acceptable to the adventurers, while George Rugh, who had rendered service to the Virginia council by writing a treatise on government, was publicly eulogized upon his bequeathing £100 to the company for the education of infidels' children.^d Edward Bennett was admitted to the company as a reward for a treatise against the importation of tobacco from Spain, and the chronicler, Howes, was granted 12 pounds of tobacco as a yearly payment for his references to Virginia.^e

A number of works were suggested in the courts of which we have no trace or which can not be identified as appearing under other titles. To what the company referred when it petitioned the Archbishop of Canterbury for permission to publish the book which he had prohibited is unknown.^f The printed book proposed by Sir Edwin Sandys on November 4, 1620, in which he wished to defend the lotteries and to hasten the dispatch of persons to Virginia, may have been the declaration of the shipping in 1620, but it is not mentioned again in the court book. In 1621 three other proposed publications failed to be executed, so far as is known, the first of which was a treatise on the government of Virginia by Thomas Bargrave.^g The second was a defense of the company, and concerned the health, trade, and manners of the colony, and the third considered the defects and remedies of Virginia and discussed the food,

^a The first suggestion of a reprint of this book came in a court of October 31, 1621, but it was not until September 5 of the year following that the book was ordered to be printed, including the two letters. List of Records, No. 347. The sermons were *Virginia's God be Thanked*, by Patrick Copland, 1622, and one by John Donne. See List of Records, Nos. 312, 375.

^b An order of court, December 19, 1621, provided for an expression of gratitude to John Brinsley and an appointment of a committee to peruse and report upon his work. On January 16 the committee was granted additional time, and Patrick Copland was asked to review the book and report to the company. List of Records, No. 291.

^c List of Records, No. 289.

^d *Court Book*, II, November 20, 1622.

^e *Ibid.*, I, April 12, 1621.

^f *Ibid.*, I, July 18, 1620.

^g *Ibid.*, I, February 22, 1620/21.

health, fortifications, wealth, and religion of the colony.^a In the following year an attempt was made to collect the "binding laws which had been ratified in courts" and to add them to the printed books, but it seems to have failed, since no trace of such a publication has been found, and no final action is recorded in the court book.^b

DOCUMENTS REVEALING THE MOVEMENTS FOR TRADE AND INDUSTRY

The printed advertisements between 1619 and 1621 were successful in securing the capital with which to carry on the enterprise. It now remains to discover how the trade was conducted and controlled, how the plantation was developed and governed, and how the business was finally destroyed.

The income which enabled the company to provide for new industries in 1619 and 1620 was derived from the £12 10s. paid by each new adventurer for each new share of stock, and from the lotteries. Special collections and particular gifts for the advancement of religion and of education in the colony were frequent, and thus the account and management of the college land became important. Before the introduction of freedom of trade into the colony, and the dissolution of the old magazine on January 12, 1619/20, the company had some profit from that monopoly,^c but the ease with which returns came from the lotteries had doubtless led the company to abolish the monopoly of trade which had become so difficult to maintain. That the company depended on the lotteries is indicated by the following statements in the court book: On December 1, 1619, the lotteries were continued until summer because there was no other means of securing money, and the plan put forth for the development of the colony on July 7, 1620, provided that the estimated expense of £17,800 should be met by the income from the lotteries, which would amount to £18,000. Information concerning the organization for conducting the lottery is wanting. Books and rolls and catalogues of prizes are referred to but have not been found.^d Thus the only documents which throw light on the system outside of the court book are the records of the suit of the Virginia Company against William Leveson, an agent for the lottery in 1613, which discloses that books and rolls had been kept, and that a house for the lottery had been erected and furnished "at the west end of St. Paules Church;" a proclamation by the King for the overthrow of the lottery on March 8, 1620/21; and a few letters solicting investments.^e

The investments by the company during the period of the lotteries followed three lines—the old magazine, the planting of the public and the college lands in

^a *Court Book*, I, April 12, June 11, 13, 1621.

^b *Ibid.*, I, November 19, 21, 1621; March 13, 1621/22.

^c *Ibid.*, I, July 7, 1619.

^d *Ibid.*, I, June 24, 1619; January 12, 1619/20.

^e List of Records, Nos. 28, 29, 71, 78.

Virginia, and the erection of industries for the production of certain commodities. The court book is the only source of information with regard to the old magazine, in which the company through its general stock of the company had invested more than twice as much as any other adventurer. Hence, during the last half of the year 1619, it made every effort to gain an account and secure a settlement of that adventure. The discussion, which resulted in the adoption of free trade to the colony, reveals the system used for the control of the magazine, indicates to a slight degree the income which the company had had from that joint stock, and incidentally shows that it had some returns from the public lands in Virginia.^a The numbers of men sent to the company's land and their equipment are given in the printed declarations, in the reports of the treasurer spread on the minutes, and in the discussions recorded in the court book, and although the sums invested for the purpose are not recorded, the statement was made by Sir Edwin Sandys that 800 men were sent through the income from the lottery. The transportation of dissolute persons in the year 1619 to meet the command of the King, and the settlement of boys and girls on the company's land previous to 1622, were other means used to people the public and college lands.^b

Five commodities enumerated in the broadside of May 17, 1620, were established by action of the court. No record is extant of the exact nature of the investment, but it appears from the court book to have been chiefly an investment from the general stock. The movement for monopoly of certain industries rather than a monopoly of all trade began during the latter part of the year 1620, and as a result the records deal extensively with plans for the sole importation of tobacco, by which a joint stock of £15,000 was to be raised to carry out what is known as the "Somerscales plan."

The overthrow of the lotteries carried consternation to the company. An income was essential with which to send out settlers to develop the soil or to create new industries, but the general stock was so low that the company could not even carry out its plans for glassworks. Finally, after several months of discussion, recourse was had to special adventure or new joint stock companies for special undertakings, controlled by a treasurer who should be elected by the adventurers in the scheme. Thus followed the creation of a series of magazines for the erection of a glass furnace, for the establishment of a fur trade, for sending maids for wives, and for supplying a magazine for apparel. The records of these ventures are to be found only in the court book, and the data there given is very insufficient. This, of course, meant no advantage to the general stock, and the company was forced to discover means for securing returns from the general investment and an income with

^a *Court Book*, I, June 24, 28, July 7, 13, November 3, December 15, 1619.

^b *Ibid.*, December 23, 1619; January 12, February 2, 1619/20; July 3, 1622.

which to develop the company's land. Hence, private plantations were organized, and private patents and monopolies for the industry of pitch and tar, for ironworks, for new discoveries were granted, while special commissions for trade along the coast and for fishing added to the revenue. With the exception of the movement for private plantations and for the sole importation of tobacco, but few records exist outside of the court book to reveal these vigorous endeavors to reap the results of the great investments in the earlier years.^a The grants for private plantations to individuals or groups of individuals, called hundreds, commenced as early as 1616, but increased rapidly during and after 1621, there being entries in the court book of over fifty patents granted in four years, which provide for the transportation of at least 100 men each and often for four times as many. The system by which each hundred in Virginia and the adventurers for the hundred in England was organized is to be found in the court book and in the extant records of the companies. The minutes of one meeting for Martin's Hundred and one for Smythe's Hundred, and the forms for patents deposited in the British Museum, in addition to about seventy papers of Berkeley Hundred, afford a very satisfactory reconstruction of the terms of agreement, the expenses, the provisioning, the form of government, the instructions issued to the captain or governor of the hundred, and the terms of settlement with tenants and servants. The adventures of Lord Zouch and Lord La Warr in 1617 and 1618, and of the Walloons and French in 1621, complete the series of which any record exists.^b

But the private grants did not promise sufficient income to meet the great demands for supplies from the general stock which the massacre of 1622 brought about. As a result the company turned to the income from tobacco, regardless of its high purposes and its endeavors to enforce the production of other commodities. This feeling of the importance of a contract for the sole importation of tobacco took such a strong hold upon the company that from May, 1622, until its dissolution, just a year later, nothing else worth mentioning is recorded in the court book, while the quarrel concerning the salaries to be paid for the management of the £100,000 to be invested in this project monopolized the attention of several courts. In addition to the record of an entire year in the court book, numerous memoranda of various estimates of the value of the tobacco monopoly to the Crown and to the company are deposited among the Manchester papers

^a The discussions in the *Court Book* with regard to the magazine, the development of commodities, and private plantations will be found through the Index under those headings.

^b For the documents on Berkeley Hundred see the Smyth or Nibley Papers in the New York Public Library, which are cited in the List of Records. See also Nos. 71, 72, 76, 77, 82, 227, 264, 735. These are really records of the private companies and fall under class VI in the List of Records. Among the forms for patents in the British Museum is that granted to Martin's Hundred: List of Records, No. 323.

in the Public Record Office. The communications with the Privy Council on the subject are spread on the company's minutes, and are also to be found among the Colonial State papers. This series includes the proclamations of the King in 1624, and the new propositions and measures for tobacco importation of the same year. The economic condition of the planter, the necessity of a revenue to the company, the amount of the importation and of the customs value to the King, the relations with Spain, and the economic values in England are all brought out in the estimates, discussions, and arguments.^a

DOCUMENTS DISCLOSING THE RELATIONS WITH THE COLONY

The study of the relations of the company to the colony and the development within the colony may be based on a greater variety of documents than any other phase of the subject, especially with regard to the political conditions. The court book furnishes an understanding of the attitude and motives of the company and often serves to connect the data gathered from letters, instructions, commissions, patents, and grants. Thus the emphasis on the custom of martial law in the colony and the severity of penalty imposed is revealed both in the court book and in the extracts from Governor Argall's register.^b The additional forms of government required by the development of the colony are recorded in the court book, by which the company created the offices of deputies to the governor for the college and for the public land, secretary, treasurer, chancellor, and surveyor, and provided for the compensation of officers by grants of land, by transportation of tenants, by the income of the company's land, and by allowance of fees.^c The requests for the appointment of a council of State and for laws and orders, urgently repeated by Governor Yeardley, as recorded in the court book in 1619, give evidence that the source of such development was in the colony. But the fundamental law for the government of the colony is recorded in three documents, the instructions to Governor Yeardley, November 8, 1618, which created the land system, the instructions to Governor Wyatt, July 24, 1621, which emphasized the industrial development, and "An Ordinance and Constitution * * * for a Councill of State and Generall Assembly" in Virginia, which confirmed the political forms.

These documents provided for the creation of two councils. The council of state, composed of the governor and council, was to form an executive and

^a List of Records, 60, 102, 147, 184, 185, 59, 263, 287, 448, 392, 396, 410, 413, 411, 414, 424, 425, 431, 482, 676, 678, 680, 681, 682, 691, 692, 693, 695, 696, 703, 705, 712, 724, 729, 733, 737, 744, 747, 756. See also the index of the Court Book, *post*, Vol. II, under "Tobacco."

^b List of Records, No. 40, ff.

^c *Court Book*, I, April 3, May 15, 17, 1620. See also Bruce, *Economic History of Virginia*.

judicial body, and the assembly, composed of the council and two burgesses from each town or borough, was to be purely a legislative body.^a The approval of a quarter court of the company, which was necessary for legalizing the acts of the assembly, is referred to in the court book in three places only.^b The constitution and the provisions for division of the country into cities and boroughs, recorded both in the instructions and in the patents by which the government of the private plantations was delegated to a private body, form the basis for a study of the local systems. The records of Smythe's, Martin's, and Berkeley Hundred referred to above, the correspondence of Samuel Argall with Bermuda Hundred, and the commissions for government issued by Governor Argall and later by the council of state complete the sources on this subject.^c The precedents for patents are valuable in the information which they afford with regard to the position of the following classes of colonists: The old adventurer not subject to rent; the adventurer paying money for his shares and agreeing to transport 100 persons; the adventurer settling a private plantation; the individual planter.^d These documents also throw light on the liberty of the individual, his exemption from taxation without his consent by the colony or by the private plantation, and his submission to a government almost military in character.

The strict supervision which the company exercised over the economic, industrial, and social conditions of the colony is to be seen in the measures enacted in the courts and in the correspondence between the company and the colony, supplemented by a large number of private letters to the officers of the company. Four letters to the colony are mentioned in the court book, of which two have not been found, but eight others not mentioned are extant. It is more difficult to determine what letters came from the colony, due to the usually brief reports of the letters in the court book, to the omission of the date from the copies of the letters, and from the uncertainty of the date of the receipt of the letters as noted in the court book. Seven letters seem to have been received by the company of which no trace has been found, while only four of the ten extant are mentioned in the court book. It is apparent therefore that only a part of the official correspondence is in existence. The directions to the colony disclose the care and earnestness of the company, and emphasize the endeavors to establish the various commodities, while the descriptions given by the colonists are extremely valuable in the picture they present of their efforts, ambitions, and attainments. The pri-

^aList of Records, Nos. 72, 260, 261.

^b*Court Book*, I, April 3, May 15, 1620.

^cThe patents, the Argall correspondence, and the records of the Hundreds are new material and will aid much in an understanding of the local conditions and government.

^dList of Records, Nos. 299, 323, 324, 325.

vate correspondence proves that the official letters were likely to give but one phase of the conditions.

About thirty-five letters addressed to Sir Edwin Sandys during the years 1619 to 1621 have been found among the Ferrar papers, which are full of complaint because of the scarcity of provisions. Apparently Sir Edwin's policy to develop the plantation, and especially the company's land as a source of revenue, was overdone, and he was not as wise in carrying out his plan as he had been in forming it, since the colony was unable to provide for the large numbers sent out. These complaints are casually mentioned in the court book, but the Sandys-Ferrar correspondence shows that it was the desire of the administration to conceal the difficulties and distress of the colony not only from the public but also from the hostile faction. The Manchester papers preserve letters, or copies of them, which came to the company or to individuals in 1622 and 1623 complaining of similar deprivations in the colony.^a

The company was not only interested in the economic and industrial development and the necessary political forms of the colony, but, as Sir Edwin Sandys declared, it had a higher purpose than the Muscovy or the other commercial corporations. This high ideal is proved by the attention which is devoted to plans for the college, by the appointment of ministers, by the collections in the churches, and by the gifts received,^b but the theory that the chief motive of the enterprise was religious is not supported either by the spirit or by the data of the records.

RECORDS KEPT BY THE OFFICERS IN THE COLONY

The acts of the administration in Virginia are recorded in the volume of contemporary records of the company kept by the colony which are described above. They consist of a series of nine orders and proclamations by the governor and council and of twenty-one orders, proclamations, commissions, and warrants issued by the governor as the executive officer of the council for the regulation of affairs in the colony. They cover the years 1621, 1622, and 1623, and concern the collection of taxes, the designation of laborers for public works, the regulation of prices of commodities, the restraint of relations with the Indians, and the control of the morals of the citizens. In addition to these documents issued by the governor is a series of twenty-four commissions and warrants issued to individuals to act as commanders of cities and hundreds, to carry on trade with the Indians, to make discoveries, to wage war upon the Indians, and to collect moneys. Another group of documents in the same collection consists of thirty-six petitions to the governor and council between 1622 and 1624. They are

^a For a citation of these letters in the List of Records, see the Index under "Letters."

^b *Post*, Vol. II, Index under "College," "Education," "Ministers."

claims for wages and for moneys due, demands for fulfillment of contracts, requests for pardon and for justification in personal quarrels, demands for lands, and petitions to be allowed to return to deserted plantations and to England.^a

The only extant record of the council for 1619 is an account of the "putting out of the Tenants that came over in the B[ona] N[ova] wth other orders of the Councell," found among the Ferrar papers.^b

The "courte booke," or original record of the meetings of the governor and council, in which these petitions were heard and orders issued, is extant from 1624 to 1632, with a record of one court in 1622 and of one in 1623. These are mostly the actions of the council sitting in a judicial capacity and concern controversies over property, probate matters, and criminal charges. The punishments seem extreme. Two actions of the court are particularly interesting, one affecting Edward Sharpless for sending copies of the colonial records to England, and the other consisting of accusations against Captain John Martin of slanderous and false utterances. A few additional orders and warrants are preserved among the Colonial State papers,^c together with a report of the proceedings of the assembly in 1619, written by John Pory and sent to England, the only other account of which was sent to Sir Edwin Sandys by John Rolfe, and is among the Ferrar papers.^d The acts of the assembly for March 5, 1623/24 are the only measures of that body during the life of the company which are extant, with the exception of the letters and petitions addressed to the company and to the King, and of a few orders.

DOCUMENTS CONCERNING THE DEVELOPMENT OF FACTIONS AND THE DISSOLUTION OF
THE COMPANY

A series of documents remains which does not bear directly on the organization of the company or the expression of its activity in trade and in colonial enterprise, but is invaluable for a study of the history of the company, since it concerns the relations of the individual members to one another, reveals the inner life and motive of the company as a whole and of the various groups, and explains the conditions which resulted from the interference of the King and the overthrow of the corporation. The entire movement centers about the growth of factions in the company. The movement begins in the years just preceding the accession of Sir Edwin Sandys to the position of treasurer, and seems to have had its origin in the trouble over

^a For citation of these documents in the List of Records, see the Index under "Warrants," "Commissions," "Proclamations," "Orders."

^b List of Records, Nos. 138, 139.

^c *Ibid.*, Nos. 240, 521, 645.

^d *Ibid.*, Nos. 116, 154.

Sir Samuel Argall and the appointment of Sir George Yeardley as governor of the colony. It finally involved many of the personal complaints and difficulties which presented themselves to the company, and therefore requires a study of those problems before it can be understood.

The measures which thus arose with regard to individuals are to be found chiefly in the court book. They supply much information which can not be obtained elsewhere with regard to the methods of procedure of the company, and afford scattered data of great importance in addition to the light they throw on the disputes of the factions. The subjects discussed include such problems as the relations with the northern colony, the conflict with Spain concerning the ship *Treasurer*, the suit against William Wye for failing to land settlers in Virginia, and various accusations against Governor Yeardley and Captain Argall for misgovernment in the colony. The accounts of Sir Thomas Smythe, the settlement of Alderman Robert Johnson's accounts for the magazine, and the illegality of Captain John Martin's patent for a plantation, were also questions which were of vital importance to the financial affairs of the company and took the attention of numerous courts; but neither the accounts of Sir Thomas Smythe nor of the magazine were ever adjusted.

The claims against the company presented by William Tracey, by William Welden, the deputy of the college land who was superseded by George Thorpe, and by the heirs of Sir George Somers for a compensation for the Somers Islands are but illustrations of the many demands made upon the company. The court sat as a judiciary body to settle numerous personal quarrels, including the Brewster-Argall, the Argall-Smythe, the Bargrave-Smythe, and the Johnson-Southampton cases. Disputes which arose within the courts and resulted in slander and counter accusations took much of the time and attention of the company, the trouble between the council and Samuel Wroth over the question of salaries thus consuming the entire time of the courts for three months, from December to February, 1622/3. In the various collections in London are about a dozen papers which give additional information on the Argall-Rich troubles, the censure of Alderman Johnson, the Martin patent, the accounts of Sir Thomas Smythe, and the suits against William Wye.^a

The documents which bear directly on the factional differences in the company are among the Manchester and the Ferrar papers. From them comes the insight into the very motives and thoughts of the opposing parties, and the proof that

^aFor the history of these cases as given in the court book, see the citations in the Index, *Post*, Vol. II, under the names suggested. References to the documents in the List of Records, may also be found in the Index.

the accusations of the Warwick party are well founded, in so far as they relate to concealment of the sufferings and dissatisfactions in the colony, comes as a surprise.^a For a history of the factions the student must first review the reports of the personal conflicts referred to above and then turn to the numerous documents which include the accusations against the company, the defense of the colony and of the company, and the memoranda and letters upon the charges.

When the quarrels had finally been carried to the Privy Council, the matter was taken up officially by the company, and the second volume of the court book after the spring of 1623 is composed entirely of documents spread upon the minutes which concern the action of the company. In fact, all of the papers after that time are of the same character except the records of the governor and council in Virginia. Since they number upward of two hundred, it will be impossible to discuss them separately, but it must be remembered that in them is to be found an outline of the history of the company reaching back into the time of Sir Thomas Smythe, presented first by one faction and then by the other. The most important of these reviews are the charges of Captain Butler, of Alderman Johnson, and of Captain Bargrave, with replies to each; the complaints of the adventurers and of the planters against the Sandys administration, and a declaration by the "ancient planters" comparing the two administrations in the colony. Finally, the "Discourse of the Old Company" is the last review of the whole situation. Another most important group of papers is a series of projects for readjusting the government of the colony and the administration of the company. The projects of Martin, Bargrave, Ditchfield, and Rich thus afford an opportunity to study the beginnings of royal control.

The relations between the Crown and the company assume three different phases during the Sandys-Southampton administration—the first before the discussion over the tobacco contract in 1622, the second concerning that contract, and the third relating to the abuses in the company and the dissolution of the corporation. The court book shows a readiness and a desire on the part of the company before 1622 to refer to the Privy Council such matters as the magazine accounts which seemed beyond their control, but it also contains declarations to the effect that an interference with the patent rights is not to be tolerated. The questions arising in those years concern the transportation of dissolute persons to the colony, the right of the King to nominate men from whom the treasurer should be chosen, the restriction on trade to other countries, the refusal of a new charter to the company, and the dissolution of the lotteries. Supplementary to these records in the court book are the orders of the Privy Council affecting all of these

^aCitation of these documents in the List of Records may be found by reference to the Index under the Sandys-Ferrar letters, the Rich and Johnson memoranda, and the letters in the Manchester papers.

problems. One of the most important documents, however, has not been found, since the efforts for a new patent can not be traced beyond the statements in the court book. It was first proposed November 15, 1620, and was ordered to be continued and to be confirmed by Parliament on January 31, 1620/21. On the 22d of the following month the Lords were appointed to secure the seal, and on April 12 the objections of the attorney-general, to whom the King had referred the patent, were discussed. That it never went into effect is certain, since no record is to be found among the sign manual warrants in the record office or in the signet docquet book. Furthermore, it is not enrolled in the chancery files, and it is not entered on the patent rolls, while in the suit of the *quo warranto* the only letters patent cited are those already known of 1606, 1609, and 1612.^a

Unless the documents have been lost or the date of the entry has been mistaken the conclusion must be reached that after the surrender of the draft of the new charter to the solicitor-general it disappeared from sight. During the year 1622 the communications between the King and the company concerned the tobacco contract and its final acceptance at the command of the King, and revealed the maturity of the policy of interference which had been developing during the previous years. The number of accusations against the company increased during the year, and the records of the early part of 1623 abound in letters of complaint and charges of mismanagement from the colony. The memoranda of the Warwick party, found among the Manchester papers, are also essential to the understanding of the movements toward the overthrow of the company. Many of the forty communications between the King and the company are spread on the court book, while all of them are found in the Privy Council register. These include the commissions to the board chosen to investigate the affairs of the company,^b and the

^aThe Editor searched the following documents in the Public Record Office for a record or citation of this charter:

Sign Manual Warrants, Nos. 11, 13-17.

Exchequer, 19 James I. (1621.)

Docquet of the Signet Office.

Chancery Privy Seal, 19 James I, January-August. (1621.)

The suggestion that a charter was reissued at a later date led to a similar fruitless search in the Chancery of the Privy Seal as follows:

22 James I. July, August. (1624.)

7 Charles I. February, March, October-December. (1631.)

9 Charles I. August. (1633.)

14 Charles I. August, September. (1638.)

16 Charles I. April. (1640.)

^bA record of the grand committee appointed to defend the company before the commissioners and a record of a meeting of the commissioners are among the Ferrar papers. List of Records, Nos. 394, 543.

directions to the commissioners sent to Virginia. The correspondence between the King and the colony during those months of struggle concerned the latter commission and established the royal authority, but the letters from the colony were addressed to the company as late as the close of the year, six months after the judgment was rendered in the *quo warranto* suit.

The record of this suit is found in the *coram rege* roll of the Kings Bench. In the entry the usual writ served upon the company is followed by the information read by Edward Offley, the attorney for the company, citing the letters patent of 1606 and especially of 1609. It enumerates the rights granted to the corporation, and claims that other privileges were never used. The third document is the reply of Attorney-General Coventry in which he prays for the conviction of the accused on account of the usurpation of privileges, and cites those mentioned in the information, claiming that there had not been sufficient answer in any point. The answer of Nicholas Ferrar and others states that the company is ready to verify its rights as quoted. The judgment was rendered on the morrow of Holy Trinity, and declares that Nicholas Ferrar and the others are convicted of the usurpation of privileges and that the "said privileges are taken and seized into the hand of the King and the said Nicholas Ferrar and others shall not intermeddle but shall be excluded from the usurpation of liberties, privileges, and franchises of the same so taken from the King, and that they are to satisfy to the King his fine for the usurpation of said privileges." The writ of *quo warranto* was issued out of the Kings Bench on the Tuesday next after the morrow of All Souls (November 4, 1623). The suit was opened on the Friday after the quindecim of St. Martin's (November 28), and was then postponed until the eighth of Hillary (January 20). It was postponed a second time to the quindecim of Easter (April 11), and judgment was finally rendered on the morrow of Trinity (May 24, 1624).

VALUE OF THE VIRGINIA RECORDS

It has been the purpose of this paper to give to the reader a knowledge of what records the Virginia Company kept and to afford a guide to the extant records, as well as to indicate the character and importance of the various collections of records and of the various classes of documents. The value of this series of papers is threefold—it discloses the organization and activity of the company; it aids in an understanding of the various problems, policies, and conditions of the State under the early Stuarts; and it is of great importance in a study of the entire movement of the earlier and of the later century for exploration, for trade, and especially for colonization.

The object of the previous discussion has been to show that an intimate knowledge of the mechanism of the company, of the methods of other corporations and business houses, of the policies of the company toward the plantation, of the growth of the colony, and of the change in the attitude of the Crown may be gained from the various documents. Thus the value of the records in revealing the methods employed by the company in conducting its courts, in keeping its books, in securing capital, and in finding investment which would result in immediate returns and enable the company to transport men to the colony, has been pointed out. The evidence of the change of the plantation from a colony for exploitation to a colony for settlement, and the consequent effort of the company to stimulate exploration, settlement, and the development of resources, as well as the proof of the liberality of the proprietors in advancing self-government, has been outlined.

The indication in the records of the colony that the control changed from absolute authority centralized in the governor to local management and government through a representative legislative assembly, and that the social conditions developed from life in a few compact settlements to plantation life has been suggested. Moreover, the documents which show the efforts of the joint-stock companies to gain protection and become privileged monopolies, on the one hand, and the tendency of the Crown, on the other, to utilize the company to relieve the country of its undesirable population, to secure a share in the revenue, and finally to assume the full proprietorship of the colony has been cited.

The court book and other records of the company have another value in that they incidentally aid in an understanding of many problems of the government. Thus the attitude of the King toward the company was much influenced by his desire for marriage relations with Spanish royalty. Various questions of policy were often discussed in the meetings of the company, such as the freedom of trade and of fishing, monopolies, customs, and shipping, while the financial aid given to colonization by Spain is cited in contrast to the action of England, and the favor to the Spanish colonies by the State in allowing the sole importation of certain products was dwelt upon. The desire to cement the colony to the State and the necessity of avoiding separation was much emphasized, but the wisdom of allowing self-government to the colony was never once forgotten. In fact, the argument that democracy was unavoidable, since the planter had the privilege of the adventurer, was urged in opposition to the accusations of the King that the company favored democratic forms. This spirit in the company is also seen in the tendency to address Parliament whenever possible, as illustrated in the movement for a new patent and in the settlement of the tobacco question.

The economic and industrial situation in England is perhaps better revealed than any other phase of affairs. Thus the commodities which were in demand and not

produced in England, the rates of such commodities, the prices of necessities, and the system of vending goods were all matters of great importance to the company, and appear again and again in the various documents. The poverty of skilled labor is shown in the necessity the company was under to go to the Continent for men to superintend and carry on every industry which it attempted to establish in the colony. Dutchmen, Swedes, Poles, and Frenchmen were thus imported for conducting sawmills, cultivating silkworms, and making potash, clapboards, salt, wines, and glass. When engineers for constructing fortifications were desired, General Cecil declared that he had not men for the purpose, but hoped he might be able to recommend some Frenchmen of ability. The papers which concern the transportation of vagabonds and of boys and girls furnish a comment on a special phase of social life, while the spirit of the entire records reveals the demand for an outlet for activity and an opportunity for investment.

Throughout, the minutes of the courts and the correspondence and references to the other trading companies emphasize the strong similarity between their organization and that of the Virginia corporation. Illustrations of this fact are seen in the citation of the precedent from other joint-stock companies of employing a deputy and a director, of the salaries paid in the East India Company, and of the liberty of trade enjoyed by the Muscovy Company; while among the Ferrar papers are drafts of petitions from the Commons to the King in the writing of Nicholas Ferrar on behalf of the Turkey merchants and of the "Ginny and Binny" company, showing the intimate relations between the different movements.

Perhaps the most important result of a study of the Virginia Company comes from the knowledge which may be gained of the whole movement which had as its object exploration, trade, and settlement before and since the time of the company in all of the colonies. In its records are to be found one of the earliest sources of information concerning colonial experience from the English standpoint, and hence through them may be gained an understanding of the way in which proprietary colonies were established; of the development of the plantation into a colony of settlement; and of the consequent relation between the settlers and the proprietor. These steps as well as those by which the Crown was led to resume the authority and to establish a royal proprietorship in place of that of a company or of an individual, and the consequent development of the freedom of the settler were repeated in the history of all of the proprietary colonies of America.

5. The Fate of the Original Records ^a

It was in July, 1622, that the controversy between the factions in the company was first brought before the Privy Council, and, strangely enough, the plaintiff was John Bargrave, who later championed those whom he now accused. The complainant declared that he had lost 6,600 pounds through the "unjust practices and miscarriage of government" on the part of Sir Thomas Smythe and Alderman Robert Johnson. The matter was referred to a committee composed of Lord Viscount Grandison, Lord Brook, the master of the rolls, Lord Keeper Coventry, and Secretary Conway, but the affair dragged on in the council until it was finally settled on January 22, 1622/3, by its ordering Bargrave to forbear troubling Sir Thomas Smythe.^b From that time the battle between the factions in the company had begun. The tobacco contract between the lord treasurer as representative of the King on the one hand and the company on the other, which had occupied so much of the time of the courts, was allowed by the Privy Council on the 2d of February.^c But the spirit of conflict was seen in the entire correspondence, and during the few succeeding months bitter complaints concerning the mismanagement of affairs in the colony were made by Nathaniel Butler in his *Unmasking of the Colony of Virginia* and by Alderman Johnson in his *Declaration*.^d That both of these originated in the Warwick faction has been revealed by the Manchester papers.

On April 17 a committee headed by Lord Cavendish was summoned before the Privy Council to defend the Virginia Company against the "grievances of Planters and Adventurers." As a result, the first blow was struck at the liberty

^a That the Virginia Company had a large number of records which are not now extant has been revealed by a study of the existing documents. In addition to the original court books and the five other records provided for by the "Orders and Constitutions" there were the books created at a later date, the duplicates of patents and grants, the petitions, and all of the account books of the various magazines and joint stock companies. If the papers of the private plantations and hundreds which are represented by the Smyth of Nibley papers, were added to these, the volume of missing records would become very great. A discussion therefore of what resources have been searched, though in vain, seems desirable, in order to aid further investigation.

^b List of Records, Nos. 351, 401.

^c *Ibid.*, No. 401.

^d *Ibid.*, Nos. 388, 395.

of the company when the Privy Council announced that it was the King's intention that a commission should be appointed to inquire into the state of the Virginia and Somers Islands plantations.^a From that time the affairs of the company were under surveillance, and the correspondence, the trade, and even the personal liberty of its officers were subject to restraint. The company was immediately forbidden to receive any private letters except on its own business, while on the 28th of the same month its letters were disallowed by the Privy Council because they failed to "certify the King's grace to the Colonies." Already the court books and other writings had been required of the secretary of the company, as is shown by a receipt for the same, dated April 21, among the Ferrar papers. This receipt was given to Edward Collingwood by the clerk of the council. As a concomitant the council dissolved the tobacco contract and reduced the former customs on tobacco from twelve to nine pence per pound. It allowed the companies the sole importation of tobacco, but it required that the whole crop should be brought into England.^b

There were other acts which partook of the same spirit as the interference with the correspondence and business of the company. On May 13 the Privy Council ordered that Lord Cavendish, Sir Edwin Sandys, and Nicholas and John Ferrar should be confined to their houses, a punishment inflicted for a contempt of an order of the council table against the use of bitter invectives, and brought about by the complaint of the Earl of Warwick. Lord Cavendish was in restraint five days and the others eight days. The release came as a result of their "acknowledgment of offence and expression of sorrow."^c The threat of the King was carried out, and the declaration of war was made on May 9 by the appointment of a commission to investigate the disputes in the Virginia Company and to report upon their method of procedure.

The danger of confiscation of the company's records was fully realized for the first time on May 22, 1623, when the Privy Council enforced a previous order to surrender "all Charters Books, (and by name the blurred Book or Books), Letters, Petitions, Lists of Names and Provisions, Invoyses of Goods, and all other writing whatsoever, and Transcripts of them, belonging to them." The new order declared that the "Blurred Book or Books" had been kept back. The documents were to be surrendered to the clerk of the council, but the custody of the records was given to the commissioners. Each party was to have free use of them "in such sort as to ye Commissioners shall seem good." Furthermore "all Boxes & Packages of Letters which hereafter shall be brought over from Virginia or ye Summer Islands during this Commission" were to be "immediately delivered to ye Commissioners by them

^a List of Records, No. 467. Printed in full in Le Froy, I, 289-290.

^b List of Records, Nos. 476 and 478.

^c See Orders in Council, cited in *Ibid.*, Nos. 506 and 510.

to be broken open, perused or otherwise disposed [of] as they shall find cause."^a The records were in the possession of the clerk of the council from the date of this order, or earlier, until November 7, 1623, as is shown by a warrant bearing the latter date, in which the commissioners of May 9 required of the council a "trunk of writings" locked up under the custody of the Privy Council to be delivered to the "bearer."^b

A careful search for the missing papers must commence at this point. Although the records, or at least the court books, were later returned to the company, some of them may have been retained by the commissioners or by individuals thereof. Therefore, hidden away in the collections of the heirs of these men, it might be supposed, would be found the much sought-for documents. The members of this commission, created April 17, were Sir William Jones, Sir Nicholas Fortescue, Sir Francis Gofton, Sir Richard Sutton, Sir William Pitt, Sir Henry Bouchier, and Sir Henry Spiller.^c But, as far as can be determined from personal investigation, from the report of the Royal Commission on Historical Manuscripts, from conversation with Sir Henry Maxwell Lyte, of that body, or from other men conversant with the private and public depositories in England, none of the papers did remain in the possession of those commissioners.

A committee of the Privy Council may have had access to these papers, for on July 22 Lords Grandison, Carew, and Chichester were appointed to take into consideration the reports on the colony and to present to the council orders most fit for the regulation of the government of Virginia.^d Another group of men intrusted with the investigation of affairs at that time, and into whose hands and private possession might have come papers belonging to the company, were John Harvey, John Pory, Abraham Percy, Samuell Matthews, and John Jefferson. This commission was sent to Virginia for the purpose of investigating conditions, and many of the documents bearing on their relations with the colony are among the colonial State papers.

The documents remained in the custody of the commission until November 21, and were then returned to the secretary of the company. An order in council declared that all the "Books and writings, whether remayneing in the hands of the Com^{rs} or elswher, shalbe fwthwth deliuered by Inventorie vnto the said Company." The complaint had been made by the treasurer that they could not make answer to the *quo warranto* which had been issued out of the King's Bench against the company without the use of their records.^e Therefore, from November, 1623, until June,

^a List of Records, No. 513.

^b *Ibid.*, No 580.

^c For the order in council creating this commission, see *Ibid.*, No. 499.

^d *Ibid.*, No. 547.

^e *Ibid.*, No. 593.

1624, the company was in possession of its documents, and it was during that period that Nicholas Ferrar was busily engaged in having them transcribed.

The last order which concerned these records from December 30, 1623, until the company was finally overthrown, in June of the following year—when the organization, according to Nethersole, became a company for trade and not for government—was a letter of the council to “Nicholas Ferrar, Deputie,” to bring to them unopened all letters which had come in a ship lately arrived from Virginia.^a That the King in the meantime was concerned in the preservation of all papers relating to Virginia is seen in a letter from Secretary Conway to Sir Thomas Merry, in which he was requested to preserve all papers in the possession of “his late cousin,” John Puntis, vice-admiral of Virginia, and any others which concerned the business.^b

Following up the recall of the charter, the Privy Council declared that it was the King’s intention to renew the charter of the company without the imperfections of the former grant. A committee was therefore appointed on June 24 to resolve on the well settling of the colony, to give the orders therefor, and to report to the King for further directions. This body consisted of Lord President Mandeville, Lord Paget, Lord Chichester, the lord treasurer, the comptroller, the principal secretaries of state, the chancellor of the exchequer, the chancellor of the duchy, the attorney-general, the solicitor-general, Sir Robert Killigrew, Sir Thomas Smythe, Francis Gofton, John Wolstenholme, and Alderman Johnson.^c

Two days later an order in council was issued instructing Mr. Ferrar, deputy of the company, to bring to the council chamber all patents, books of accounts, and invoices of the late corporation and all lists of people in the colony, to be retained by the keeper of the council chest till further order.^d Thus was ended the control of the government by the old organization, if not of the affairs of the company and its colony, and thus the records passed into the charge of the clerk of the Privy Council.

A commission to establish a government in Virginia is to be found in the chancery privy seals under July of the twenty-second year of James I, countersigned to pass by immediate warrant. The patent roll of the period records this commission, dated July 15, 1624, by which the Virginia Company was to be supplanted and the first royal province in America was to be established.^e The records of the old company, however, are not lost to sight till three days later. On July 15 the commissioners met at Sir Thomas Smythe’s house and determined that the charters, seals, and writings of the company were to be brought to Sir Thomas Smythe’s house and

^a For the order in council creating this commission, see List of Records, No. 608.

^b List of Records, No. 683.

^c *Ibid.*, No. 687.

^d *Ibid.*, No. 689.

^e *Ibid.*, No. 701.

kept in charge of the clerk of the commissioners, H. Fotherby, to be used by the commissioners at pleasure.^a

In the Privy Council register, under date of June 26, 1624, there is an order for Mr. Ferrar to deposit in the council chamber the papers of the late corporation, and in the margin is a note which gives the last glimpse of those records. It reads as follows: "Nd: All theis Patents bookes of accounts &c were delivered to Henry Fotherby clarke to the Comissioners, by order from the Lords the 19 of July 1624."^b

That these members of the Privy Council and others of the commissioners for Virginia had all of the original records of the company in their possession at that date is thus proved. What became of them later can be a matter only of speculation. That they had been so carefully preserved and were deposited "for use by the members of the commissioners," seems to indicate that the theory of their destruction by the Crown is not tenable. There are two theories which seem much more likely. It may be that they passed finally into the possession of the Privy Council, which evidently soon assumed the burden of the control of the affairs of the province; for, on May 13, 1625, a royal proclamation arranged for a council which was to be subordinate to the Privy Council.^c The papers may thus have remained with the King's Council until the creation of the commission for Virginia in 1631, which in turn was supplanted by the Board of Commissioners for Foreign Plantations in 1634.^d The commission created in July of 1624 was composed of the lords of the council and "certain others," and the council register seems to indicate that it was usually the council sitting as a commission. After 1624 the papers, letters, and instructions were all issued by the council, the commissions to the councillors and to

^a List of Records, No. 702.

^b *Ibid.*, No. 689.

^c A letter to the Earl of Warwick dated November 16, 1624, bears the signatures of the council for Virginia as follows: Sir Thomas Smith, Ferdinando Gorges, John Wolstenholme, Samuel Argall, Thomas Gibbs, Samuel Wrot, and John Pory. There had been some question concerning the addition of names to the commission, but whether this is a portion only of the council of July 15 or a new organization is uncertain. *Ibid.*, No. 738.

^d The members of the commission for Virginia appointed June 17, 1631, were: Edward Earl of Dorset, Henry Earl of Danby, Dudley Viscount Dorchester, Secretary Sir John Coke, Sir John Danvers, Sir Robert Killigrew, Sir Thomas Rowe, Sir Robert Heath, Mr. Recorder [Heneage Finch], Sir Dudley Diggs, Sir John Wolstenholme, Sir Francis Wiatt, Sir John Brooke, Sir Kenelm Digby, Sir John Zouch, John Bankes, Thos. Gibb, Nath. Rott [Wrote?], Mr. Sands, John Wolstenholme, Nicholas Ferrar, Mr. Barber, and John Ferrar. See *Colonial Papers*, Vol. VI, No. 14.

The commissioners for plantations appointed April 28, 1634, were: William Laud, Archbishop of Canterbury; Thomas Lord Coventry, lord keeper; Richard Neile, Archbishop of York; Richard Earl of Portland, lord high treasurer; Henry Earl of Manchester; and seven other officers of state.

governors of the colony passed the privy seal and were engrossed on the patent roll, and the letters or papers from the colony were addressed to the council.

Another theory as to the fate of the records is that they were at first in charge of Henry Fotherby, clerk of the commissioners, but that they were gradually scattered among the members of the commission most interested in the career of the company as the authority of the commission became purely that of government. The members of the commission, created July 15, 1624, in whose families such papers might be found, are as follows: Henry Viscount Mandeville, Lord President of the Council, Wm. Lord Paget, Anthony Lord Chichester, Sir Thomas Edmonds, Sir John Suckling, Sir Geo. Calvert, Sir Edward Conway, Sir Richard Western, Sir Julius Caesar, Sir Humphrey May, Sir Saville Hicks, Sir Thomas Smith, Sir Henry Mildmay, Sir Thomas Coventry, Sir Robert Heath, Sir Ferdinando Gorges, Sir Robert Killigrew, Sir Charles Montague, Sir Philip Carew, Sir Francis Goston [Gofton], Sir Thomas Wroth, Sir John Wolstenholme, Sir Nathaniel Rich, Sir Samuel Argall, Sir Humphrey Handford, Mathew Sutcliff, Dean of Exeter, Francis White, Dean of Carlisle, Thomas Tamshaw, Alderman Robert Johnson, James Cambell, Ralph Freeman, Morris Abbott, Nathaniel Butler, George Wilmore, William Hackwell, John Mildmay, Philip Germaine, Edward Johnson, Thomas Gibbes, Samuel Wrote, John Porey (?), Michael Hawes, Edward Palavacine, Robert Bateman, Martin Bond, Thomas Styles, Nicholas Leate, Robert Butt, Abraham Cartwright, Richard Edwards, John Dyke, Anthony Aldy, William Palmer, Edward Ditchfield, George Mole, and Richard Morer.^a

Had not the receipt from the Privy Council to the secretary of the company revealed the existence of the early records in 1623, and had not the memoranda of Sir Nathaniel Rich confirmed the fact,^b the theory might be put forth that the papers of the early period were burned in the destruction of Sir Thomas Smythe's house at Deptford on February 6, 1618/19. The fire at Whitehall on the 16th of January, 1618/19, at which the privy seal, signet, and council records are supposed to have been destroyed, is sometimes suggested as the cause of the disappearance of the Virginia records. But the facts given above, in addition to the statement of Sir Thomas Wilson to the King that there had been but little loss of papers since they had been transferred to the new office refutes that theory.^c

It remains for the future enquirer to examine the collections which are known to contain papers belonging to the families indicated by the names of the various commissioners and of the Privy Councillors for that period. Such investigations are made difficult by the transfer of papers from one branch of a family to another, necessitating

^a *Virginia Magazine of History*, VII, 40.

^b *Ante*, pp. 25, 63.

^c *Documents relating to the History of the Public Record Office*, in the Record Office.

a knowledge of the genealogy of the various families represented. Having found the heirs of the families in question, the search may then be conducted through the reports of the Royal Commission on Historical Manuscripts. But this is not sufficient. Since trace of the family is often lost, or no evidence can be found of collections of documents, it becomes necessary to search through every section of those reports of the commission for stray sets of papers. The greatest confusion also results from the sale of libraries, and while the catalogues of Quaritch or Sotheby may afford a clue to the offer of such material for sale, often in small lots, the name of the purchaser is not usually to be discovered. The result is that the student must wait in patience until the papers have drifted into some great depository—such as the British Museum and the Bodleian Library—or until they have been made known to the public through the Manuscripts Commission or by private enterprise.^a

Another difficulty, which can not be overcome by the individual student, is the insufficiency of the catalogues of early date. This is gradually being met by the re-issue of catalogues and calendars in the British Museum, and the Bodleian, although the new catalogue of the latter is only “summary.” The Ashmolean and Rawlinson papers in the Bodleian may afford many surprises. Furthermore, the early reports of the Manuscripts Commission were often incomplete and too general in character. However, the more recent volumes are full calendars, and the older volumes may be republished in time.

In the great collections of the British Museum are brought together the papers or portions of the papers of a few of the men with whom we are concerned. In the Lansdowne collection are about one-third of the papers of Sir Julius Caesar, master of the rolls, which were sold at auction in 1757. Among these have been found the valuable letters of John Martin and the draft of the commission of 1624. In the Harleian collection, brought together by Robert Harley, Earl of Oxford, at the close of the seventeenth century, and among the papers of Sir John Cotton, who was a noted antiquarian of the time of James I, are a few important documents.

The valuable collection of the Marquis of Bath, containing the Cecil papers, has been recatalogued and found to contain nothing which concerns the company after 1616, and nothing of the earlier period not known to Alexander Brown.

Two other collections, imperfectly calendared by the Manuscripts Commission, are those of Lord Sackville, of Knole, Seven Oaks, Kent, and of the Earl of Coventry, Croome Court, Severn Stoke, Worcestershire. Since the statement was made by John Ferrar, in the later years of his life, that Sir Robert Killigrew had left the Virginia papers to Sir Edward Sackville, the Earl of Dorset, our interest in

^a The search for the records has not only been conducted along these lines, but the collections belonging to the families of the officers of State under James I, and Charles I, have been investigated.

this collection is intensified. Both Sir Robert Killigrew and Richard Sackville, Earl of Dorset, are seen to have been vitally connected with the company and the settlement of its affairs. Two other connections of this family may have brought together collections which might contain Virginia papers. Richard Sackville, Earl of Dorset, married Frances, the daughter of Lionel Cranfield, the first Earl of Middlesex, and he himself became heir to the Cranfield house and title as third earl. The first Earl of Middlesex was the lord treasurer during the régime of the company and figures prominently as the individual who conducted the *quo warranto* suit against the Virginia Company. Furthermore, Lionel Sackville West is the direct descendant of Lord De La Warr, of Virginia fame. The combination of the four houses of Killigrew, Sackville, Middlesex, and De La Warr, which were of so great importance in Virginia affairs, leads to the hope of a valuable collection of manuscripts. Four documents are mentioned in the report of the commission, and these refer to the tobacco trade, but an inquiry of Lord Sackville as to other material in his possession elicited the reply from Lionel Sackville West that Lord Sackville knew of "no other papers at Knole relating to the colony of Virginia than those mentioned in the report of the commissioners." It may be, however, that a more careful calendar of this collection will disclose papers of great importance.

From March 14, 1616, to January 11, 1620, Thomas Coventry was solicitor-general; later, during the Sandys-Southampton administration of the Virginia Company, he held the position of attorney-general. On November 1, 1625, he became lord keeper, and remained in that office during the period coinciding with the organization of the colonial administration. Hence it was that, when it was found from the report of the Manuscripts Commission that many of Lord Keeper Coventry's papers had not been investigated, the Editor addressed a letter to the Earl of Coventry, Croome Court. This resulted in a confirmation of the statement, and a promise to search the papers which are now in the "strong room here." In a letter to Ambassador Choate, July 27, 1904, the Earl of Coventry made the following statement: "In company with a son I went through the boxes containing papers of the Lord Keeper Coventry in which I thought it likely I might find the documents referring to the Virginia Company of London, some time ago, but I could discover nothing relating to the company." The letter goes on to say that the "papers are in bad condition and very difficult to decipher." Hence the conclusion may be reached that this most likely hiding place for Virginia records is not to reveal new material.

The collections at Thirlestaine House, Cheltenham, and at Hatfield House, are extremely valuable, but T. Fitzroy Fenwick, esq., the present owner of the former, states that there is no material in that collection relating to the early history of Virginia, and a manuscript catalogue, kindly loaned to the writer by Lord Salisbury,

indicates that the papers at Hatfield House, now being calendared, have no bearing on the subject in hand.

By tracing the family connections of the descendants of Sir Thomas Smythe and the Earl of Southampton intermarriages are found which might result in the location of valuable papers in many of the large depositories. All of these have been investigated by the Manuscripts Commission. Thus, from Sir Thomas Smythe the documents might have been inherited by the first or the second Earl of Leicester; by Sir Sydney Stafford Smythe, baron of the exchequer in 1772 and last of the descendants of the male line; by the eighth Viscount Strangford, vice-president of the Royal Geographical Society, with whose death in 1869 the senior branch of the family was terminated; and by the present Duke of Marlborough through the second marriage of Lady Dorothy Sydney Smythe, daughter of Robert, second Earl of Leicester. The Wriothsley family is to-day represented in the houses of the Duke of Bedford and of the Duke of Portland, the former having inherited the London property of Robert, third Earl of Southampton, and the latter the Tichfield estate.

The large number of documents among the Smyth of Nibley papers^a suggests that in private collections may be many records which concern the private enterprises or companies formed within the corporation for setting out plantations and carrying on trade. Other groups of manuscripts and early books have seemed to offer opportunities for the discovery of the missing records. But the Lambeth Palace Library, the college libraries both of Oxford and of Cambridge have proved valueless, with the exception of that most important group in Magdelene College, Cambridge. Every one of the college libraries, has been searched or investigated, but to no avail. All Souls College, Oxford, contains a collection of manuscripts which may afford a few papers on the subject when it has been more carefully catalogued.

The fact that the original records of the company before 1619, and a comparatively small portion after that date have not been discovered has led generally to the conclusion that the party of the Crown destroyed the evidences of the mismanagement during the first decade and of the comparatively prosperous condition in the second. That they failed to take into account the records in the colony and the Ferrar transcripts of the court book is the good fortune of posterity. But the destruction of the records can not properly be considered as proved until the public collections have been more carefully calendared and the private collections have been more thoroughly investigated. The absolute lack of evidence that the Crown and its supporters held such an attitude and the knowledge that the commissioners took the records into their charge "for use" encourages the hope that a faithful endeavor to discover their location may yet be rewarded by success.

^a*Ante*, p. 55.

LIST OF RECORDS

List of Records

THE VIRGINIA COMPANY OF LONDON

EXPLANATORY NOTE

This list includes all documents, letters, publications, or other records of the Virginia Company, or relating to the company between 1616 and 1625, which the Editor has been able to discover, and also those previous to 1616 which are not published or cited by Alexander Brown in the *Genesis of the United States*. The object in compiling the list has been to give to the student of history the necessary information concerning each document in as convenient form as possible in order to aid him in finding or in identifying the papers. The documents have been arranged in chronological order, but with the provision that whenever the day of the month is uncertain the document has been placed at the beginning of the month, and when the month is not known it has been placed at the beginning of the year. Thus, at the first of each year and of each month will be found the undated papers, or those to which it has been impossible to assign dates. The subject-matter, as well as the title and the name of the author has been given rather for identification than to serve as a calendar, since it is the aim of this series to publish all material except that which is purely supplementary. The documents which it is intended to publish in this series, if the privilege can be secured, have been indicated by an asterisk. The title has been quoted wherever possible, and the orthography of proper names has been made to conform to that of the document. The location, indicated by abbreviated forms, and the reference, following the abbreviation, *Ref.*, of every edition, contemporary copy, or later transcript has been given, but the description of the document is either in the introduction or will be found in connection with its publication in the succeeding volumes. Wherever the paper has been published or calendared the reference has been cited after the abbreviation, *Pub.* The material has been classified with regard to source or authorship and the classes have been indicated by Roman numerals, placed to the left of the "reference." The bibliographies have been included in the index in the second volume of the series. It has been found necessary either to abbreviate or to use symbols for the names of the libraries or collections in which documents are found, and those abbreviations have been placed at the extreme right hand of the page.

CLASSES OF DOCUMENTS

- I. Fundamental documents, emanating from the Crown.
- II. The court book of the company.
- III. Documents issued by the company: instructions, commissions, grants, receipts, official correspondence.
- IV. Records of the colony: court book, orders, reports, letters.
- V. Publications of the company.
- VI. Private papers of individual adventurers.
- VII. Supplementary correspondence and records of nonmembers of the company.

Symbols Indicating Location of Documents

ANT.	Society of Antiquaries, London.	NEWB.	Library of Ed. E. Ayer in the Newberry Library, Chicago.
BEL.	Collection of the Earl of Rutland, Belvoir Castle.	NY.	New York Public Library.
BM.	British Museum, England.	[NY]	Transcript in New York Public Library.
BOD.	Bodleian Library, Oxford.	P.	Imperial Library, Paris.
CAMB.	Cambridge University Library, England.	PC.	Privy Council, London.
CHILD.	Collection of J. Eliot Hodgkin, Childwell, Richmond, Surrey.	PEQ.	Pequot Library, Connecticut.
DOV.	Borough of Dover, England.	PET.	Collection of Lord Leconfield, Petworth House, County Sussex.
DROP.	Collection of Hon. G. M. Fortescue, Dropmore, Maidenhead, England.	PRIV.	Private library in New York City.
HARV.	Harvard Library, Cambridge, Massachusetts.	PRO.	Public Record Office, London.
HL.	Repository of the House of Lords, London.	Q.	Queens College, Oxford.
IPS.	Ipswich, England.	R.	Archives of Jesus, Rome.
JCB.	John Carter Brown Library, Providence, R. I.	READ.	Borough of Reading, England
KP.	Collection of Lord Sackville, Knole Park, County Kent.	SHER.	Sherbourne Castle, County Dorset.
LAMB.	Lambeth Palace Library, London.	SUF.	Collection of W. W. Molyneux, Suffolk County, England.
LEI.	Leicester, England.	SYON.	Collection of Duke of Northumberland, Syon House, England.
LC.	Library of Congress, Washington, D. C.	VHS.	Virginia Historical Society, Richmond, Virginia.
[LC]	Transcript in Library of Congress, Washington, D. C.	WELB.	Collection of Duke of Portland, Welbeck Abbey.
MC.	Magdalene College, Cambridge, England.	WOD.	Collection of Edmund R. Wodehouse, esq., England.
MONT.	Montague House, London.	WYC.	Borough of Wycombe, England.
		YAR.	Yarmouth, England.

GENERAL ABBREVIATIONS

A. L. S.	Autograph letter signed.	Mag.	Magazine.
Bull.	Bulletin.	MS.	Manuscript.
Col.	Collections.	Misc.	Miscellaneous.
Com.	Commission.	Pub.	Public.
Co.	Company.	Rec.	Records.
D. S.	Document signed.	Rept.	Report.
Hist.	Historical, History.	Soc.	Society.
Lib.	Library.	*Document will be published in this series.	
L. S.	Letter signed.		

1600

BEFORE 1600

- 1.* **Reasons** against publishing the King's title to Virginia. A justification for planting Virginia.
 VI. Ref: Tanner MSS., XCIII, fo. 200 (old fo. 352). BOD. [LC]

1606 (?)

- 2.* "A plaine declaracon, how greatlie the ffarmours of the Tobacco impost have bene endamaged by that ffarme, and what proffitt and benefitt their labour & travell have brought to his Ma^{tie}." BM. [LC]
 VI. Ref: Lansdowne, Caesar Papers, 156, fo. 58.

The date is in the index in the writing of the century. The names mentioned in the document prove that it was as early as 1612, the date when tobacco was first planted in Virginia.

1606/7

1606/7, FEBRUARY 16-1607/8, FEBRUARY 4

3. **Payments** for apparel and tobacco for Mr. George Percy sent to him in Virginia. SYON.
 VI. Ref: Rolls of the Duke of Northumberland.
 Pub: Calendar: Hist. MSS. Com., *Sixth Report*, 229a.

1607/8

1607/8, FEBRUARY 8-1608/9, FEBRUARY 3

4. **Payments** for Mr. Geo. Percy for necessities for building a house in Virginia and for trinkets.
 VI. Ref: Rolls of the Duke of Northumberland. SYON.
 Pub: Calendar: Hist. MSS. Com., *Sixth Report*, 229a.

1607

- 5.* **King and Privy Council.** Oaths of supremacy and allegiance administered to colonists.
 I. Ref: MS. Rec. Virginia Co., Vol. III, pt. i, pp. 20, 20^a. LC.
 6.* ———. Oath of the Secretary of the Colony administered by Governor and Council in Virginia.
 I. Ref: MS. Rec. Virginia Co., Vol. III, pt. i, p. 21. LC.

1608

- 7.* **Popham con Havercombe.** The President and Council of the Virginia Company v. the master of the "Guift of God," for not sufficiently providing the passengers. Complaint, answer, and judgment. PRO. [LC]
 III. Ref: Admiralty, Instance and Prize, Libels 73, Nos. 274, 279.
 This suit concerns the northern colony for Virginia.

MAY 28

8. **Ralph, Lord Eure.** A letter to Sir Robert Harley, stating that Captain Newport has brought over Captain Wingfield, accused of some treachery, but not yet tried. WELB.
 VII. Ref: MSS. of the Duke of Portland.
 Pub: Calendar: Hist. MSS. Com., *Fourteenth Report*, pt. 2, p. 5.

* Reproduced in the present publication.

[LC] Transcript in the Library of Congress.

I, II, III, etc., represent the class of document.

1609

- 9.* **Virginia Council** (P). General instructions to the lieutenant governor of Virginia. Copy of the sixth article. BM.

III. Ref: MSS. of the Marquis of Lansdowne, Vol. 58.
 Pub: Calendar: Hist. MSS. Com., *Fifth Report*, 226.

MAY

- 10.* **Virginia Council**. "Instruções, orders, and constituições . . . to S^r Thomas Gates knight Governo^r of Virginia . . . by vs his Maiesties Councell for [Virginia.]" BOD. [LC]

III. Ref: Ashmolean MSS., 1147, fos. 175-190a.
 A contemporary copy.

1609 (?)/10

- 11.* **Virginia Council**. "Instructions, orders, and constituições . . . to S^r Thomas West knight Lo: La Warr, . . . by vs his Mat^{ies} Councell for the Companie of adventurers . . . [for Virginia]." BOD. [LC]

III. Ref: Ashmolean MSS., 1147, fos. 191-205a.
 A contemporary copy.

1609-12 (?)

- 12.* **G[eorge] P[ercey]**. "A trew relation of the proceedings and occurents of momente which have happened in Virginia from S^r Thomas Gates—1609 to my departure, A. D. 1602 [1612]." PET.

IV. Ref: MSS. of Lord Leconfield, No. 81, 4th to 17th century, vellum, p. 1.
 Pub: Catalogue: Hist. MSS. Com., *Sixth Report*, 307.

1609/10

1609/10, FEBRUARY 7-1610/11, FEBRUARY 6

13. **Payments** for tobacco for the Earl and Lord Percy and for George Percy in Virginia.

VI. Ref: MSS. of the Duke of Northumberland. SYON.
 Pub: Calendar: Hist. MSS. Com., *Sixth Report*, 229b.

1610

NOVEMBER 18

- 14.* **George Yeardley**. A letter to S^r Henry Peyton, stating that the country needs only "round and free support of men and money." BOD. [LC]

VI. Ref: Eng. Hist. MSS., c. 4, new No., MS. 29724, fo. 3.

1610/11

MARCH 4

15. **Town of Ipswich**. Order for "adventuring out of the towne treasure one hundred pounds . . . in the voyage to Virginia." IPS.

VII. Ref: Ext. from General Court Books, 4 March, 8 James I.
 Pub: Calendar: Hist. MSS. Com., *Ninth Report*, pt. 1, p. 256.

1611 (?)

16. **Virginia Council**. A letter "to S^r Raphe Winwood, Ambassador," requesting adventurers in the Netherlands, and telling of the prosperous condition of the Colony. MONT.

III. Ref: Duke of Buccleuch and Queensberry MSS., Winwood Papers.
 Pub: Full calendar: Hist. MSS. Com., *Report* on above, Vol. I (1899), p. 103.

1611

APRIL

17. **Sir Thomas Smythe.** A letter to S^r Raphe Winwood, Ambassador, acknowledging £72 from above request, and sending the bills of adventure. MONT.
III. *Ref:* Duke of Buccleuch and Queensberry MSS., Winwood Papers.
Pub: Full calendar: Hist. MSS. Com., *Report* on above, Vol. I (1899), p. 99.

1611/12

MARCH 10

18. ——— **Bruz.** A letter to the Earl of Rutland concerning Dale's departure with three hundred men at expense of £8,000. BEL.
VII. *Ref:* Earl of Rutland Papers.
Pub: Calendar: Hist. MSS. Com., *Twelfth Report*, pt. 4, p. 429.

1612

APRIL 28

19. **Sir John Digby.** A letter to W. Trumbull concerning the Spanish attitude toward the Virginia plantation, and other letters of similar character. SHER.
VII. *Ref:* George Wingfield Digby MSS., Register of Letters.
Pub: Calendar: Hist. MSS. Com., *Tenth Report*, pt. 1, pp. 576, 583, 600, 603, 609.

NOVEMBER 25

- 20.* **Virginia Company.** Virginia Company con Sir Thomas Mildmaye, James Bryarley, and Matthew de Quester. The bill of complaint addressed to Thos. Lord Ellesmere, Lord Chancellor, with regard to the payment of certain sums adventured. PRO. [LC]
III. *Ref:* Chancery Proceedings, James I, Bundle U, No. 2/27.

DECEMBER 11

- 21.* **Sir Thomas Mildmaye.** The answer of Sir Thomas Mildmaye to the bill of complaint of the Virginia Company. PRO. [LC]
III. *Ref:* Chancery Proceedings, James I, Bundle U, No. 2/27.

1612/13

JANUARY 11

- 22.* **James Bryarley and Mathewe de Quester.** The answer of James Bryarley and Mathewe de Quester to the bill of complaint of the Virginia Company. PRO. [LC]
III. *Ref:* Chancery Proceedings, James I, Bundle U, No. 2/27.

JANUARY 26

23. **John Wheeler.** John Wheeler to Sir Raphe Winwood requesting adventures in the lottery for himself and others. MONT.
III. *Ref:* Duke of Buccleuch and Queensberry MSS., Winwood Papers.
Pub: Calendar: Hist. MSS. Com., *Report* on above, Vol. I (1899), pp. 122-123.

1613

APRIL 28

- 24.* **Virginia Company.** Virginia Company con Sir H. Neville, Sir Geo. Huntleye, Wm. Hall, et al., regarding the payment of sums adventured. The bill of complaint. PRO. [LC]
III. *Ref:* Chancery Proceedings, James I, Bundle U, No. 4/17.

MAY 18

- 25.* **Sir George Huntley.** The answer of Sir Geo. Huntley to the bill of complaint of the Virginia Company. PRO. [LC]
 III. Ref: Chancery Proceedings, James I, Bundle U, No. 4/17.

OCTOBER 8

- 26.* **Virginia Company.** Virginia Company con Sir Edmond Boyd, Sir John Sammes, et al., regarding the payment of sums adventured. The bill of complaint. PRO. [LC]
 III. Ref: Chancery Proceedings, James I, Bundle U, No. 2/69.

NOVEMBER 1

- 27.* **Sir John Sammes.** The answer of Sir John Sammes to the bill of complaint of the Virginia Company. PRO. [LC]
 III. Ref: Chancery Proceedings, James I, Bundle U, No. 2/69.

NOVEMBER 15

- 28.* **Virginia Company.** Virginia Company con William Leveson, regarding the payment of certain sums collected in the lottery and not surrendered. The bill of complaint. PRO. [LC]
 III. Ref: Chancery Proceedings, James I, Bundle U, Nos. 2/55.

NOVEMBER 30

- 29.* **William Leveson.** The answer of William Leveson to the bill of complaint of the Virginia Company. PRO. [LC]
 III. Ref: Chancery Proceedings, James I, Bundle U, Nos. 2/55.

1613/14

[1613, DECEMBER 29]-1614 [JANUARY 8]

30. **J. Luntius.** Letters to Sir Raphe Winwood, ambassador, concerning the rumor of a Spanish attack on the Virginia Colony. MONT.
 VII. Ref: Duke of Buccleuch and Queensberry MSS. Winwood Papers.
 Pub: Calendar: Hist. MSS. Com., *Report* on above, Vol. I (1899), pp. 122-123.

FEBRUARY 16

- 31.* **William Hall, Esq.** The answer of William Hall to the bill of complaint of the Virginia Company. PRO. [LC]
 III. Ref: Chancery Proceedings, James I, Bundle U, No. 4/17.

1614/15

FEBRUARY 22

32. **Privy Council.** Order of Privy Council to Lord Howard Effingham, Sir Geo. More, Sir Ed. Howard, and others, requesting cooperation in the lottery and sending books for adventurers' sums. WOD.
 I. Ref: (1) MSS. of E. R. Wodehouse. (2) MSS. of W. W. Molyneux, Esq.
 Pub: (1) Calendar: Hist. MSS. Com., *Thirteenth Report*, pt. 4, p. 437.

MARCH 3

33. **Consideration** of the "Letters from Lodes of the Counsell concerninge the Lottery for the helpe of the Englishe in Virginia." READ.
 VII. Ref: Corporation of Reading Records, MS. XLVIII, a.
 Pub: Calendar: Hist. MSS. Com., *Eleventh Report*, pt. 7, p. 211.

1615

APRIL 13

34. **Action of the assembly.** Every alderman to urge inhabitants to adventure in the Virginia lottery. YAR.
 VII. *Ref:* Corporation of Great Yarmouth. Records, 40 Elizabeth to 12 James I, Assembly Book. D (j).
Pub: Calendar: Hist. MSS. Com., *Ninth Report*, pt. 1, p. 319.

1615/16

FEBRUARY 10

35. **Certificate** for 104 lbs. of middling tobacco from Virginia. KP.
 III. *Ref:* MSS. of the Earl De La Warr.
Pub: Calendar: Hist. MSS. Com., *Fourth Report*, 314.

1615/16, MARCH 6-1623, JUNE 9

- 36.* **Shareholders** in the Virginia Company from 1615-1623. PRO. [NY]
 VI. *Ref:* State Papers, Colonial, James I, Vol. II, No. 33.
Pub: *Virginia Magazine of History and Biography*, IV, 299-310.
 Transcript in the N. Y. Public Library, Bancroft, I, 203-205.

1616

DECEMBER 19

37. **Virginia Company.** A letter to the mayor of Salisbury concerning a college for Virginia.
 III. *Pub:* *New England Historical and Genealogical Register*.

1616/17

- 38.* **Virginia Council.** A proclamation by His Majesty's Council for Virginia giving license to any in Virginia to return, by obtaining permission from the governor. NY.
 III. *Ref:* Smyth of Nibley Papers.
Pub: Brown, *Genesis of the United States*, II, 797-798.

1617

JUNE 7

- 39.* **Governor Argall.** A letter and proclamations or edicts as to sale of goods and banishment of John Hudson. (1) LC. (2) VHS.
 IV. *Ref:* (1) Misc. Papers, 1606-1683, quarto. (Abstract only.) (2) MS. Coll. Va. Hist. Soc., John Randolph MSS., III, 91.
Pub: *Va. Mag. of Hist.*, IV, 28-29.

Cited from "No. 41A Register book during the Goumt. of Sam^l Argall Esqr admiral, & for y^e time p'sent, principal Gour. of Virg^a," a record not now known to be in existence.

JUNE 8

- 40.* **John Rolfe.** Letter to Sir Edwin Sandys, giving the story of the journey from Plymouth and the good condition of the colony, though in need of clothing. MC.
 IV. *Ref:* Ferrar Papers.
Pub: *Va. Mag. of Hist.*, X, 134-138.
 A. L. S. Endorsed by Sir Edwin Sandys.

JULY 13-AUGUST 31

41.* Privy Council. Orders for transportation of prisoners, mentioned by name, to Virginia.I. *Ref:* Privy Council Register, James I, Vol. III, 91, 121.

PC. [NY]

Pub: *Mass. Hist. Soc. Coll.*, ser. 4, Vol. IX, pp. 1-4.

Transcript in N. Y. Pub. Lib., Barlow Papers, Virginia, Vol. I.

OCTOBER 20

42.* Governor Argall. Pardon to George White for running away to the Indians with arms and ammunition; also to Arthur Edwards and to Henry Potter. (1) LC. (2) VHS.IV. *Ref:* (1) *Misc. Papers*, 1606-1683, quarto. (Abstract only.) (2) *MS., Coll. Va. Hist. Soc.*, John Randolph MSS., III, 91.

See No. 40, Remarks.

43.* ———. Commission to trade to north parts of Virginia and for commanders of the several hundreds. (1) LC. (2) VHS.IV. *Ref:* See under No. 40.

See No. 40, Remarks.

44.* ———. Appointment of William Powell, captain of guards belonging to the governor and lieutenant-governor and commander of James Town. (1) LC. (2) VHS.IV. *Ref:* See under No. 40.

See No. 40, Remarks.

45.* ———. Commission to trade in south parts and in the bay. (1) LC. (2) VHS.IV. *Ref:* See under No. 40.

See No. 40, Remarks.

46.* ———. Commission to Captain Nathaniel Pool to be serjeant major general.IV. *Ref:* See under No. 40. (1) LC. (2) VHS.

See No. 40, Remarks.

47.* ———. Commission to Francis West, master of ordinance, during life. (1) LC. (2) VHS.IV. *Ref:* See under No. 40.

See No. 40, Remarks.

48.* ———. Commission to Nathaniel West, to be captain of the Lord General's company.IV. *Ref:* See under No. 40. (1) LC. (2) VHS.

See No. 40, Remarks.

NOVEMBER 12

49. Sir Edwin Sandys. A letter to the Puritans.III. *Pub:* Neill, *Virginia Company of London*, 124-125.

NOVEMBER 15

50.* Governor Argall. Confirmations as to cattle.

(1) LC. (2) VHS.

IV. *Ref:* See under No. 40.

See No. 40, Remarks.

NOVEMBER 27

51.* Citizens of Bermuda Hundred. A letter signed by the recorder and nine other citizens claiming West and Shirley hundreds as belonging to them. (1) LC. (2) VHS.IV. *Ref:* See under No. 40.

See No. 40, Remarks.

NOVEMBER 30

- 52.* **Governor Argall.** Letter to citizens of Bermuda Hundred that he will not infringe their rights but begs that colony servants may remain there this year. (1) LC. (2) VHS.
 IV. *Ref:* See under No. 40.
 See No. 40, Remarks.

DECEMBER 4

- 53.* **Privy Council.** Order that the Virginia Company should be custom free for goods returned from the Colony until expiration of the grant. PC. [NY]
 I. *Ref:* Privy Council Register, James I, Vol. III, p. 201.
 Transcript, New York Public Library, Barlow Papers, Virginia, Vol. I.

DECEMBER 27

- 54.* **Lord De La Warr.** Lord De La Warr's covenant to Lord Zouch for his adventure to Virginia.
 VII. *Ref:* State Papers, Colonial, James I, Vol. I, No. 36. PC. [NY]
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 18.
 Transcript, New York Public Library, Bancroft Collection, Virginia Papers, Vol. I, pp. 199-201.

1617/18

- 55.* **Governor Argall.** "Certain Reasons touching y^e most convenient times & seasons of y^e year for y^e magazine ship to set forth for Engl^d towards Virg.^a" (1) LC. (2) VHS.
 IV. *Ref:* See under No. 40.
 See No. 40, Remarks.
- 56.* ———. Letter to the Council for Virginia, wishing to be relieved as governor, complaining because they have joined the cape merchant with him in equal trust.
 IV. *Ref:* See under No. 40. (1) LC. (2) VHS.
 See No. 40, Remarks.
- 57.* ———. Four warrants as to trade and relations with the Indians. (1) LC. (2) VHS.
 IV. *Ref:* See under No. 40.
 See No. 40, Remarks.

[1618 ?]

- 58.* **A complete** list in alphabetical order of the "Adventurers to Virginia," with the several amounts of their holding. PRO.
 III. *Ref:* Manchester Papers, No. 241.
Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 33.
 The date may be 1619. See an order of the Virginia Company Court Book, Dec. 15, 1619, and June 23, 1620.
- 59.* **Defalcation** made to the farmers of the customs for the subsidy of goods from and to Virginia, 1613-18. KP.
 III. *Ref:* MSS. collection of Lord Sackville.
Pub: Calendar: Hist. MSS. Com., *Eighth Report*, 251.
- 60.* **Abraham Jacob.** Receipt of tobacco from Lady-day to Michaelmas; Michaelmas to January 23. Total of £5,646 18s. 6d. KP.
 III. *Ref:* MSS. collection of Lord Sackville.
Pub: Calendar: Hist. MSS. Com., *Fourth Report*, 314.

1617/18

JANUARY 18

61. **John Chamberlain.** A letter to Sir Dudley Carleton concerning the death of Pocahontas.
 VII. *Ref:* State Papers, Domestic, James I, Vol. 40, No. 25. PRO.
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 18.

JANUARY 27

62. **John Robinson and William Bruster** (Puritans). Letter to Sir John Wolstenholme.
 VI. *Pub:* Neill, E., *Virginia Co. of Lond.*, 125-126.

JANUARY 31

63. **John Chamberlain.** A letter to Sir Dudley Carleton concerning the departure of Lord La Warr for Virginia. PRO.
 VII. *Ref:* State Papers, Domestic, James I, Vol. 45, No. 27.
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 19.

FEBRUARY 3

- 64.* **Governor Argall.** Order addressed to the commander of Kiquotan not to permit landing of sailors on arrival of vessels. LC.
 IV. *Ref:* Misc. Papers, 1606-1683, quarto. (Abstract only.)
 See No. 40, Remarks.

FEBRUARY 20

- 65.* **Governor Argall.** Commission to William Cradock to be provost marshal of Bermuda City and Hundred. LC.
 IV. *Ref:* Misc. Papers, 1606-1683, quarto, pp. 92-93. (Abstract only.)
 See No. 40, Remarks.

MARCH 5

- 66.* **Privy Council.** Letter to Lord De La Ware stating that Henry Sherley, an escaped debtor is not to be harbored in Virginia. PC.
 I. *Ref:* (1) Privy Council Register, James I, Vol. III, p. 295. (2) State Papers, Domestic, James I, Vol. 46, p. 527.

MARCH 10

- 67.* **Governor Argall.** Letter to the Virginia Company describing the ruinous condition in which he found the colony and the improvements he had made. LC.
 IV. *Ref:* Misc. Papers, 1606-1683, quarto. (Abstract only.)
 See No. 40, Remarks.

MARCH 16

68. **John Chamberlain.** A letter to Sir Dudley Carleton, concerning the departure of Lord La Warr for Virginia. PRO.
 VII. *Ref:* State Papers, Domestic, James I, Vol. 45, No. 63.
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 19.

MARCH 20

- 69.* **Privy Council.** Orders for transportation of prisoners, mentioned by name, to Virginia. PC.
 I. *Ref:* Privy Council Register, James I, Vol. III, p. 319.

1618

MARCH 29

70. **Virginia Company.** A letter to the mayor of Salisbury concerning a college for Virginia.
 III. *Pub: New England Hist. and Geneal. Register.*

MAY 2.

- 71.* **Governors of the Virginia Company.** Letter to the mayor and aldermen of Leicester, soliciting countenance of the lottery for the furtherance of the endeavor of the said company. LEI.
 III. *Ref: Corporation of Leicester, 6th vol. of Hall Papers. VIII.*
Pub: Calendar: Hist. MSS. Com., Eighth Report, pt. 1, p. 435.

MAY 3

- 72.* **Lord Admiral Nottingham's** pass for the "Edwin" of London, returned from Virginia. PRO.
 VI. *Ref: State Papers, Domestic, James I, Vol. XCVII, No. 56.*
Pub: Sainsbury, Calendar of State Papers, Colonial, p. 538.

MAY 4

- 73.* **John Bargrave and James Brett.** John Bargrave, owner, and James Brett, master of "Edwin;" bond for £100 to indemnify Lord Zouch for delivering the ship to them. PRO.
 VI. *Ref: State Papers, Domestic, James I, Vol. XCVII, No. 56.*
Pub: Sainsbury, Calendar of State Papers, Colonial, p. 538.

MAY 10

- 74.* **Governor Argall.** Proclamations or edicts relating to attendance at church. LC.
 IV. *Ref: Misc. Papers, 1606-1683, quarto. (Abstract only.)*
See No. 40, Remarks.

MAY 18

- 75.* **Governor Argall.** Proclamations or edicts regulating acts of colonists as to trade. LC.
 IV. *Ref: Misc. Papers, 1606-1683, quarto. (Abstract only.)*
See No. 40, Remarks.

- 76.* **Sir E. Sandys, H. Timbertake, J. Ferrar.** Meeting of a committee for Smythes Hundred to provide for transportation and furnishing of 35 men to be sent to the Colony, giving method of Hundreds. MC. [LC]
 IV. *Ref: Ferrar Papers.*

Photograph and transcript in Library of Congress. Corrections by Nicholas Ferrar and address and notes by J. Ferrar.

JUNE 11

- 77.* **Lord Zouch.** Letter to Captain Ward concerning the venture of a pinnace to Virginia with John Bargrave. PRO.
 VI. *Ref: State Papers, Domestic, James I, Vol. CIII, No. 44.*
Pub: Sainsbury, Calendar of State Papers, Colonial, p. 19.

JUNE 12

- 78.* **Governors of the Virginia Company.** Letter to the mayor and aldermen of Leicester Account of drawings of lottery, June 12, 1618. LEI.
 III. *Ref: See under No. 75.*
Pub: See under No. 75.

JUNE 14

- 79.* **Privy Council.** Order for the transportation of prisoners to Virginia. PC.
 I. Ref: See under No. 41.
 Pub: See under No. 41.

AUGUST 22

80. **Virginia Company.** Letter to Capt. Samuel Argoll sent by the "William and Thomas" concerning his abuse of the company's property. LC.
 III. Ref: MS. Court Book, Virginia Co., II, 23.
 Pub: (1) Kingsbury, *Records Virginia Co.*, II. (2) Brock, *Virginia Company*, II, 31-33.

AUGUST 23

81. **Virginia Company.** An extract from a copy of a letter sent to Lord De La Warr, by "Wililam and Thomas," touching Capt. Samuel Argoll. LC.
 III. Ref: MS. Court Book, Virginia Co., II, 29.
 Pub: (1) Kingsbury, *Records Virginia Co.*, II. (2) Brock, *Virginia Company*, II, 33-35.

OCTOBER (P)

- 82.* **Captain Andrews.** A letter to Lord Zouch, concerning his intended voyage to Virginia with Jacob Braems. PRO. [NY]
 VII. Ref: State Papers, Domestic, James I, Vol. CIII, No. 33.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 19.
 Transcript in N. Y. Public Library, Bancroft Collection, Virginia Papers, I, p. 227-233.

OCTOBER 14

83. **John Chamberlain.** A letter announcing the death of Lord La Warr and the shipping of 100 boys and girls to Virginia by "City." PRO.
 VI. Ref: State Papers, Domestic, James I, Vol. CIII, No. 33.
 Pub: *Calendar, State Papers, Domestic*, James I, 1611-1618, p. 548.

OCTOBER 19

84. **Sir Ed. Hext.** A letter from the justice of peace of Somersetshire, to the Privy Council, concerning the impressment of maidens to be sent to Virginia. PRO.
 VII. Ref: State Papers, Domestic, James I, Vol. CIII, No. 42.
 Pub: (1) *Va. Mag. of Hist.*, VI, 228-230. (2) Sainsbury, *Calendar of State Papers, Colonial*, 19.

OCTOBER 25

- 85.* **John Pory.** A letter to Sir Dudley Carleton, concerning the appointment of Sir Geo. Yeardley as governor of Virginia. PRO.
 VII. Ref: State Papers, Domestic, James I, Vol. CIII, No. 46.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, pp. 19-20.

NOVEMBER 18

86. **Virginia Company.** The form of a patent of land.
 III. Pub: Brown, *First Republic*, 605-606, note.
- 87.* **Virginia Council.** Proprietary instructions to George Yeardley, governor of Virginia. (1) LC. (2) VHS.
 III. Ref: (1) Misc. Records 1606-1692, pp. 72-83. (2) Randolph MSS., III, 44-160.
 Pub: *Virginia Magazine of History and Biography*, II, 154-165.

NOVEMBER 28

- 88.* **John Pory.** A letter to Sir Dudley Carleton, concerning Pory's appointment as secretary of Virginia. PRO.

VII. Ref: State Papers, Domestic, James I, Vol. CIII, No. 111.

Pub: *Calendar, State Papers, Domestic*, James I, 1611-1618, p. 598.

- 89.* **John Chamberlain.** A letter stating that Yeardley, "a mean fellow," goes to Virginia as governor, knighted by King, and flaunts the same. PRO.

VII. Ref: State Papers, Domestic, James I, Vol. CIII, No. 110.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 20.

NOVEMBER 30

- 90.* **Privy Council.** A warrant to send James Stringer, a reprieved prisoner, from Newgate to Virginia. PC.

I. Ref: Privy Council Register, James I, Vol. IV, 53.

1619

- 91.* **Ferdinando Yate.** "The voyage . . . to virginia," a story of the journey. NY.

VI. Ref: Smyth of Nibley Papers, 13.

Pub: *N. Y. Pub. Lib. Bull.*, I 70-72.

Autograph document. The voyage was probably in September, and the account written in January.

- 92.* **Virginia Company.** "A note of the shipping, men, and Provisions, sent to Virginia by the Treasurer and Company, in the yeere 1619." Printed: 1619. (1) NY. (2) KP.

III. Ref: (1) Broadside. (2) MSS. in the Collection of Earl De La Warr.

Pub: (1) Force, *Tracts*, III, No. V. (2) *Va. Mag. of Hist.*, VI, 231-2.

This broadside is usually included in the Declaration of the State of Virginia, 1620. See *post*, No. 183.

[1619]

- 93.* **[John] Delbridge [Yeardley].** A letter to Sir Edwin Sandys, concerning Captain Argoll and the specific affairs of the colony upon his arrival. MC. [LC]

IV. Ref: Ferrar Papers.

An indorsement in a later hand gives letter as from Delbridge. Autograph is Sir Geo. Yeardley's. Written soon after April 29, 1619. [Photographic reproduction of part, and transcript in the Library of Congress.]

- 94.* **Sir Geo. Yeardley.** A letter to [Sir Edwin Sandys] concerning the seating of old settlers, Captain Argoll, tobacco sent to Flushing, and relations with Opochancono. MC. [LC]

IV. Ref: Ferrar Papers.

A. L.

- 95.* **Sale of ship "New Year's Gift,"** to Robert, Earl of Warwick, by Roger Dunster and John Thompson. PRO.

VII. Ref: Manchester Papers, No. 248.

Pub: *Calendar: Hist. MSS. Com., Eighth Report*, pt. 2, p. 33.

1618/19

FEBRUARY 3

96. **Lord Russell.** A letter to Sir Clement Edwardes, concerning a prisoner to be sent to Virginia.

VII. Ref: State Papers, Domestic, James I, Vol. CV, No. 75.

PRO.

Pub: *Calendar, State Papers, Domestic*.

- 97.* **Indenture** between Sir Wm. Throckmorton and the Virginia Company et al., for a plantation in Virginia. NY.

III. *Ref:* Smyth of Nibley Papers, Smyth 3 (4), pp. 53-58.
Pub: *N. Y. Pub. Lib. Bull.*, 1899, III, 161-164.

A contemporary copy.

FEBRUARY 4

98. **Wm. Ward.** A letter to Lord Zouch, warden of Cinque Ports, concerning Mr. Upton as captain of a pinnace to Virginia. CHILD.

VI. *Ref:* MS. collection of J. Eliot Hodgkin, esq., F. S. A.
Pub: *Calendar: Hist. MSS. Com., Fifteenth Report*, pt. 2, p. 279.

FEBRUARY 15

- 99.* **Lord Zouch.** A warrant for John Fenner, captain of "Silver Falcon," and Henry Bacon, master, to pass to Virginia, and trade with colony and savages. PRO. [NY]

VI. *Ref:* State Papers, Colonial, James I, Vol. I, No. 44.
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 21.

Transcript, New York Public Library, Bancroft Papers, I, pp. 235-237.

FEBRUARY 18

- 100.* **Sir Wm. Throckmorton and others.** A letter to Sir Geo. Yeardley, concerning a patent for their Virginia plantation. NY.

VI. *Ref:* Smyth of Nibley Papers, 4.
Pub: *Calendar: N. Y. Pub. Lib. Bull.*, 1899, Vol. III, p. 165; I, p. 187.

A contemporary copy.

FEBRUARY 25

- 101.* **Privy Council.** An order concerning the ship "Treasurer," and its offence against Spaniards.

I. *Ref:* Privy Council Register, James I, Vol. IV, 433. PC.
Pub: Brown: *First Republic*, 358.

MARCH

- 102.* **Grant** to Abraham and John Jacobb, collector of customs or imposts on tobacco imported into England and Wales. Yearly fee £150. PRO.

I. *Ref:* Docquet Book, Signet Office.

1619

APRIL 10

- 103.* **Sir Wm. Throckmorton.** A letter to John Smyth, concerning the plantation in Virginia.

VI. *Ref:* Smyth of Nibley Papers, Smyth, 6. NY.
Pub: *Calendar: N. Y. Pub. Lib. Bull.*, I, 187.

A. L. S. with seal.

APRIL 13

- 104.* **Richard Berkeley.** A letter to John Smyth, of Nibley, concerning the plantation in Virginia. NY.

VI. *Ref:* Smyth of Nibley Papers, Smyth, 5.
Pub: *Calendar: N. Y. Pub. Lib. Bull.*, I, 187.

A. L. S. with seal.

APRIL 27

- 105.* **Sandys, Harwood, Wolsenhan, Rich, Johnson.** Draft of a report of a committee describing the "particular duties" of the several officers of the Virginia Company.
 III. Ref: Manchester Papers, No. 245. PRO.
 Pub: (1) Brown, *First Republic*, 301-305. (2) Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 33.

1619, APRIL 28-1624, JUNE 7

- 106.* **Virginia Company.** The Court Book of the Virginia Company of London; the minutes of the extraordinary, preparative, and general quarter courts from 1619, April 28, to 1624, June 7, except May 20, and the first part of May 22, 1620, which are missing. LC.
 II. Ref: MS. Rec. Virginia Co., Vols. I, II.
 Pub: (1) Kingsbury, *Records Virginia Co.*, Vols. I, II. (2) Brock, *Virginia Company*, Vols. I, II. (Extracts.)
 A contemporary copy, attested by the secretary of the company, Edward Collingwood.

APRIL 28-JULY 21

- 107.* **Notes** made from the Court Books [of the Virginia Company] "concerning the manner of levying public charges," etc., 1619, April 28-July 21. PRO.
 II. Ref: Manchester Papers, No. 246.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 33.

MAY 8

108. **John Chamberlain.** A letter to Sir Dudley Carleton, concerning election of Sir Edwin Sandys, treasurer of the Virginia Company. PRO.
 VII. Ref: State Papers, Domestic, James I, Vol. CIX, No. 18.
 Pub: Calendar, *State Papers, Domestic*, p. 44.

MAY 28

109. **Governor Argoll.** An enactment fixing the limits of Jamestown, Virginia. LC.
 IV. Ref: MS. Court Book, Virginia Co., II.
 Pub: (1) Kingsbury, *Rec. Virginia Co.*, II, Index. (2) Brock, *Virginia Company*, II, 37.

JUNE 17, 21

- 110.* **Treasurer and Council for Virginia.** (1) A commission to Wye. (2) A letter to Sir Geo. Yeardley, expressing pleasure at reforms enacted and outlining policy toward the Indians.
 III. Ref: Admiralty Court, Instance and Prize, Libels 80, No. 123. PRO.
 In the records of the suit of the Virginia Company with Wye, 1620. See *post*, No. 148.

JULY 2

- 111.* **Geo. Thorpe.** A letter to John Smithe, of Nibley, concerning the expenses of a voyage to Virginia. NY.
 VI. Ref: Smyth of Nibley Papers, Smyth, 7.
 Pub: Calendar: *N. Y. Pub. Lib. Bull.*, I, 187.
 A. L. S. with seal.

JULY 8

- 112.* **"The Counsell of Virginia."** Copy of minutes relating to the censure passed on Alderman Johnson by a committee of the Council of Virginia. PRO.
 III. Ref: Manchester Papers, No. 250.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 33.

- 113.* **A short** draft of censure against Alderman Johnson abandoned in favor of "the preceding."
 III. *Ref:* Manchester Papers, No. 251. PRO.
Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 34.

JULY 20

- 114.* **Geo. Thorpe.** A letter to John Smyth, concerning Partridge's misbehavior. NY.
 VI. *Ref:* Smyth of Nibley Papers, Smyth, 8.
Pub: Calendar: *N. Y. Pub. Lib. Bull.*, I, 187.
 A. L. S. with seal.

- 115.* **Sir Geo. Yeardley.** A letter concerning Argoll's letters from Lord Ritch. MC. [LC]
 IV. *Ref:* Ferrar Papers.
 A. L. S.

JULY 30, 31; AUGUST 2, 3, 4

- 116.* **Mr. Pory.** "A Reporte of the manner of Proceeding in the General Assembly convened at James City." In the autograph of John Pory indorsed by Sir Dudley Carleton.
 IV. *Ref:* State Papers, Domestic, James I, Vol. I, No. 45. PRO. [NY]
Pub: (1) Wynne and Gilman, *Colonial Records of Virginia*. (State Senate Document, extra) Richmond, 1874, pp. 1-32. (2) New York Hist. Soc., 2d ser., III, 335. (3) Sainsbury, *Calendar of State Papers*, p. 22.
 Transcript in N. Y. Public Library, Barlow Papers; Bancroft Papers, I, 251-343.

JULY, AUGUST, AND SEPTEMBER

- 117.* **The cost** of furnishing the "Margaret." Payment for things bought in London by Mr. Thorpe in July, August, and September, 1619. NY.
 VI. *Ref:* Smyth of Nibley Papers, Smyth, 3 (13)-(16), pp. 79-93.
Pub: *N. Y. Pub. Lib. Bull.*, III, 213-223.

AUGUST 3

- 118.* **Sir Ed. Sandys.** A letter to Sir George Yeardley, commending to him the care of Berkeley Hundred. NY.
 VI. *Ref:* Smyth of Nibley Papers, Smyth 3 (12), p. 78.
Pub: Catalogue: *N. Y. Pub. Lib. Bull.*, I, 186.

AUGUST 11

- 119.* **Gabriel Barbor.** A letter to Sir Ed. Sandys, recommending Mr. Newland. MC.
 VI. *Ref:* Ferrar Papers.
 A. L. S. written from Exeter.

AUGUST 16

- 120.* **Sir Ed. Sandys.** A letter to John Ferrar, concerning the factions in the company and concerning Smith's Hundred. MC. [LC.]
 VI. *Ref:* Ferrar Papers.
 A. L. S.

AUGUST 18

- 121.* **Charter** party with Mr. Williams, of Bristol, for the hire of his ship "Margaret." NY.
 VI. *Ref:* Smyth of Nibley Papers, Smyth, 3 (17), pp. 94-96.
Pub: (1) *N. Y. Pub. Lib. Bull.*, III, 165-167. (2) Calendar: Hist. MSS. Com., *Fifth Report*, pt. 1, p. 341.

SEPTEMBER

- 122.* Remembrances for Captain Woodleefe against the return of the ship. NY.
 VI. Ref: Smyth of Nibley Papers, Smyth, 3 (8), pp. 71-72.
 Pub: Catalogue: *N. Y. Pub. Lib. Bull.*, I, 186.
- 123.* "A lyst of the men nowe sent for plantacon vnder Captayne Woodleefe governor." NY.
 VI. Ref: Smyth of Nibley Papers, Smyth, 3 (9), pp. 73-75.
 Pub: *N. Y. Pub. Lib. Bull.*, III, 210-212.

SEPTEMBER 4

- 124.* Sir Wm. Throckmorton et al. A commission to Capt. John Woodleefe as governor of the town of Barkley in Virginia, and to act as chief merchant for them. NY.
 VI. Ref: Smyth of Nibley Papers, Smyth, 3 (5), pp. 59-60.
 Pub: Catalogue: *N. Y. Pub. Lib. Bull.*, I, 186.
- 125.* An agreement between Sir Wm. Throckmorton, Richard Berkeley, Geo. Thorpe, John Smyth, and Capt. John Woodleaf, giving the terms. NY.
 VI. Ref: Smyth of Nibley Papers, Smyth, 9, also 3 (7), pp. 64-70.
 Pub: *N. Y. Pub. Lib. Bull.*, III, 167-171.
- 126.* Wm. Throckmorton, Rich. Bearkley, et al. "Ordinances direccions and Instructions to Captaine John Woodlefe for the goverment of o^r men & servants in the Towne and hundered of Bearkley in Virginia." NY.
 VI. Ref: Smyth of Nibley Papers, Smyth, 10, also 3 (6), pp. 61-63.
 Pub: *N. Y. Pub. Lib. Bull.*, III, 208-210.

SEPTEMBER 7

- 127.* Indenture between the four adventurers of Berkeley Hundred and Robert Coopy of North Nibley. NY.
 VI. Ref: Smyth of Nibley Papers, Smyth, 11.
 Pub: Calendar: *N. Y. Pub. Lib. Bull.*, I, 187.
 Original document with seals affixed.

SEPTEMBER 9

- 128.* Sir William Throckmorton and his three associates. Letter dated at Bristol to Sir George Yeardeley, asking him to join in the project. NY.
 VI. Ref: Smyth of Nibley Papers, Smyth, 3 (11), p. 77.
 Pub: Catalogue: *N. Y. Pub. Lib. Bull.*, I, 186.

SEPTEMBER 15

- 129.* The Certificate of John Lwey, the mayor of Bristol, relating to the men shipped under Capt. John Woodleefe. NY.
 VI. Ref: Smyth of Nibley Papers, 3 (10), p. 76.

1619-20

1619, SEPTEMBER 16-1620, SEPTEMBER 16

- 130.* Account of A. B. of the expenses of the last voyage, from September 16, 1619, to September 16, 1620. NY.
 VI. Ref: Smyth of Nibley Papers, Smyth, 3 (32), pp. 140-141.
 Pub: Catalogue: *N. Y. Pub. Lib. Bull.*, I, 186.

1619

SEPTEMBER 20

- 131.* **Sir Edwin Sandys.** A letter to John Ferrar, urging a steadfast policy and the securing of warrants. MC. [LC]

VI. *Ref:* Ferrar Papers.

A. L. S.

SEPTEMBER 29

- 132.* **Sir Edwin Sandys (P).** A letter to the [Earl of Southampton], concerning plans for planters and Yeardley's resignation. MC. [LC]

VI. *Ref:* Ferrar Papers.

A rough draft in Sandys' autograph.

SEPTEMBER 30

- 133.* **John Pory.** A letter to "the Right Hon^{ble} and my singular good lorde" from James city in Virginia, concerning the expedition of Captain Argall to the West Indies; the need of the English plough, vines, and cattle in the colony; the success of some of the colonists in acquiring wealth. NY.

IV. *Ref:* Barlow Collection, 2270.

A. L. S.

OCTOBER 2

- 134.* **Gabriel Barbor.** A letter to Sir Edwin Sandys, concerning the ease with which money was collected for the lottery. MC. [LC]

VI. *Ref:* Ferrar Papers.

A. L. S.

OCTOBER 4

- 135.* **Sir Edwin Sandys.** A letter to John Ferrar, concerning entries in the Court Book.

VI. *Ref:* Ferrar Papers.

MC. [LC]

OCTOBER 18

- 136.* **Sir Edwin Sandys.** A letter to John Ferrar, concerning factions in the company and his own finances. MC. [LC]

VI. *Ref:* Ferrar Papers.

Pub: *Virginia Mag. Hist. and Biog.*, X, 416-417.

A. L. S.

NOVEMBER 6

- 137.* **Privy Council.** A letter to Abraham Jacobs to release the tobacco to the Virginia Company.

I. *Ref:* Privy Council Register, James I, Vol. IV, p 358.

PC.

NOVEMBER 11

- 138.* **Council in Virginia.** "The putting out of the Tenants that came over in the B. N. wth other orders of the Councell." MC. [LC]

III. *Ref:* Ferrar Papers.

Indorsement and marginal notes in John Ferrar's handwriting. Photographic reproduction and transcript in the Library of Congress.

NOVEMBER 12

- 139.* **Governor and Council in Virginia.** An order appointing tasters of tobacco. MC. [LC]

III. *Ref:* Ferrar Papers.

Photographic reproduction and transcript in the Library of Congress.

DECEMBER 4

- 140.* **Sir George Yeardley.** Certificate with regard to the arrival of the "Margaret" in Virginia, with the names of passengers. NY.
- IV. Ref: Smyth of Nibley Papers, Smyth, 3 (18), p. 97.
 Pub: Catalogue: N. Y. Pub. Lib. Bull., I, 188.

DECEMBER 30

- 141.* **James I.** Printed proclamation to restrain the planting of tobacco in England and Wales.
 (1) PRO. (2) KP. (3) ANT. (4) Q.
- I. Ref: (1) Proclamations, James I, No. 74. (2) Earl DeLaWarr Collection. (3) Anti-quaries. (4) Collections of proclamations.
 Pub: Calendar: Hist. MSS. Com., *Fourth Report*, pt. 1, p. 299.

[1620] (?)

- 142.* **Adventurers and Planters.** Copy of a petition to the "Lds & rest of the body politic for the state of his Maj's Colony in Virginia," from "many of 1" person, adventurers & planters willing and ready to prepare thither." PRO.
- III. Ref: Manchester Papers, No. 247.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 33.
- 143.* **Sir Nathaniel Rich** (?). Statement, possibly intended for a speech before Virginia Company in defense of the Earl of Warwick. PRO.
- III. Ref: Manchester Papers, No. 279.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, pp. 35-36.
- 144.* ——— Rough notes for his defense before the council of the Virginia Company on the charge of having altered an order of the council, which he had been requested to draw up. PRO.
- III. Ref: Manchester Papers, No. 280.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 36.
- 145.* **Rough** draft of proposition affecting the Virginia Company, viz, that matters in dispute between them and Captain Argall be referred to arbitration, etc. PRO.
- III. Ref: Manchester Papers, No. 281.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 36.
- 146.* **List** of names of His Majesty's council for Virginia, given in the three patents and since. PRO.
- III. Ref: Manchester Papers, No. 288.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 37.

[EARLY]

- 147.* **Governor Nath. Butler.** A letter to [Sir Nath. Rich] (?) from the Summer Island colony, referring to the "Treasurer." PRO.
- IV. Ref: Manchester Papers, Nos. 269-270.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 35.

1620-22

148. **Capt. Nath. Butler.** History of the Bermudas. BM.
- VII. Ref: Sloane MSS., 750.
 Pub: LeFroy, *The Historie of the Bermudoes*.

1620

TRINITY TERM

- 149.* **Virginia Company** con Wye. Complaint and accompanying documents. PRO.
- III. Ref: Admiralty court, Instance & Prize, Libels 80, Nos. 121-124.
 See ante No. 110.

1620

150. **Banoail.** "Observations to be followed, for the making of fit roomes, to keepe Silk-wormes in: as also, for the best manner of planting Mulberry trees to feed them." Printed.
V. (1) JCB. (2) NY.
Quarto. 21 pages. Imprinted Felix Kingston. Pages 25-27 missing, evidently misnumbered. This work contains *post* No. 151, pp. 25-28. Reprinted, 1622. See *post* No. 347.
151. ***Virginia Company.** "A Valuation of the Commodities growing and to be had in Virginia (?) rated as they are worth." Printed. (1) PRO. (2) BOD. (3) JCB. (4) NY.
V. *Ref:* (1) State Papers, Colonial, James I, Vol. I, No. 24 (MSS.). (2) MSS. No. 50^b, 14. Included in the printed book, cited above, No. 150.
152. ***Virginia Company.** "A note of Shipping, Men, and Provisions, sent and Provided for Virginia." Printed. (1) BM. (2) ANT. (3) PRO.
V. *Ref:* (2) Printed broadsides, James I, No. 180. (3) Manchester Papers, No. 291.

1619/20

JANUARY

153. ***John Peirse.** John Peirse to Sir Edwin Sandys by the "George." MC. [LC]
IV. *Ref:* Ferrar Papers.
A. L. S.

JANUARY

154. ***John Rolfe.** A letter to Sir Ed. Sandys, concerning the first meeting of the Assembly and other details of the Colony. MC. [LC]
IV. *Ref:* Ferrar Papers.

JANUARY 10

155. ***Sir Geo. Yeardley.** "S^r. Geo: Yardles 1^r 10. Jan: 1619: of the Place assigned for our Berkely." NY.
VI. *Ref:* Smyth of Nibley Papers, Smyth, 14.
Pub: *N. Y. Pub. Lib. Bull.*, I, 72.
A. S.

JANUARY 13

156. ***John Pory.** A letter to [Sir Ed. Sandys] by the "George," concerning Samuel Argall. MC. [LC]
IV. *Ref:* Ferrar Papers.
[Photographic reproduction of part and transcript in the Library of Congress.] A. L. S.

JANUARY 14

157. **John Pory.** A letter to Sir Edwin Sandys, concerning the arrival and location of men. MC.
IV. *Ref:* Ferrar Papers.
Pub: *Va. Mag. of Hist.*, X, 289-290.
[Photograph of beginning and of end, Vol. X, pp. 416-417.] A. L. S.

JANUARY 16

158. ***John Pory.** A letter to Sir Edwin Sandys, concerning Gov. Yeardley and also various commodities. MC. [LC]
IV. *Ref:* Ferrar Papers.
L. S.

JANUARY 21

159. **Council in Virginia.** Letter from colony to company concerning tobacco. LC.
IV. *Ref:* MS. Court Book, Virginia Co., II, 220.
Pub: (1) Kingsbury, *Records Virginia Co.*, *post*, II; (2) Brock, *Virginia Company*, II, 116.

JANUARY 28

160. **Sir Edwin Sandys.** A letter to Sir Robt. Naunton, concerning the poor children to be sent to Virginia. PRO.

III. Ref: State Papers, Domestic, James I, Vol. 112, No. 49.
 Pub: *Va. Mag. of Hist.*, VI, p. 232; Sainsbury, *Calendar of State Papers, Colonial*, p. 23.

JANUARY 31

- 161.* **Privy Council.** Order giving authority for 100 children to be sent to Virginia. PC.
 I. Ref: Privy Council Register, James I, Vol. IV, p. 400.

FEBRUARY

- 162.* **Charges** incurred in obtaining for the plantation new supplies sent with Governor Thorpe.
 VI. Ref: Smyth of Nibley Papers, Smyth, 3 (19), pp. 98-99. NY.
 Pub: Catalogue: *N. Y. Pub. Lib. Bull.*, I, p. 186.

FEBRUARY 2

163. **Sir John Danvers.** A letter to the Marquis of Buckingham, concerning a proposition for his Majesty's profit. DROP.
 VII. Ref: MSS. of Hon. G. M. Fortescue.
 Pub: Calendar: Hist. MSS. Com., *Second Report*, p. 57.

FEBRUARY 25

- 164.* **Jas. Berblocke.** Order to Mr. Ferrar to pay £32 to Thomas Stevens for Smith's Hundred.
 VI. Ref: Ferrar Papers. MC. [LC]
 [Photographic reproduction of the end in the Library of Congress.]

FEBRUARY 25

- 165.* **Privy Council.** An order concerning the offence of the "Treasurer" against the Spaniards.
 I. Ref: Privy Council Register, James I, Vol. IV, p. 433. PC.
 Pub: Brown, *First Republic*, 358.

MARCH 6

- 166.* **Wm. Weldon.** A letter to Sir Ed. Sandys, complaining at provisions sent and reporting on College Land. MC. [LC]
 IV. Ref: Ferrar Papers.
 [Photographic reproduction of part in the Library of Congress.]

1620

APRIL 5, 10

- 167.* **Sir Thomas Rowe, Mr. Leate, Mr. Caning, et al.** (1) Petition to the Privy Council for a patent for the sole import of tobacco for 7 years. (2) A project for the same.
 (1) PC. (2) BM. [LC].
 I. Ref: (1) Privy Council Register, James I, Vol. IV, p. 475. (2) Lansdowne MSS., 162, fo. 159.

APRIL 10

- 168.* **Privy Council.** An order allowing the sole importation of tobacco as above. PC.
 I. Ref: Privy Council Register, James I, Vol. IV, p. 475.

APRIL 15

- 169.* **William Tracy.** A letter to John Smyth, concerning endeavors for men for the plantation.
 VI. Ref: Smyth of Nibley Papers, Smyth, 16. NY.
 Pub: *N. Y. Pub. Lib. Bull.*, III, 248.
 A. L. S.

MAY (?)

- 170.* **Copy** of opinion of counsel upon the patents of the [Virginia] Company with special reference to the power of removing Sir Thomas Smith from office of treasurer. PRO. [LC]
 III. *Ref:* Manchester Papers, No. 271.

MAY 1

- 171.* **Sir Edwin Sandys.** A letter to John Ferrar, concerning the examination of the acts of the Assembly in Virginia and also their accounts. MC. [LC]
 VI. *Ref:* Ferrar Papers.
 A. L. S. [Transcript and photographic reproduction of part in the Library of Congress.]

MAY 7

- 172.* **Indenture** assigning Sir Wm. Throckmorton's share of Berkeley Hundred to Wm. Tracy. NY.
 VI. *Ref:* Smyth of Nibley Papers, Smyth, 3 (20), pp. 100-102.
Pub: *N. Y. Pub. Lib. Bull.*, III, 248-250.

MAY 16

- 173.* **Alderman Johnson.** A letter to Sir Edwin Sandys, concerning the sale of tobacco. MC. [LC]
 III. *Ref:* Ferrar Papers.
 A. L. S. [Transcript and photographic reproduction in the Library of Congress.]

MAY 17

- 174.* **Treasurer, Council, and Company for Virginia.** A Broadside concerning the condition of the colony and especially the commodities there produced. Printed. NY.
 V.
 Indorsement in autograph of John Smith of Nibley (?).

[JUNE]

- 175.* **Wm. Tracy.** Two letters to John Smyth "at ye blew lion in Chauserilane this," asking aid for raising a company. NY.
 VI. *Ref:* Smyth of Nibley Papers, Smyth, 19.
Pub: *N. Y. Pub. Lib. Bull.*, III, 253.
 A. L. S.

- 176.* **Wm. Tracy.** A letter to John Smyth, concerning accounts. NY.
 VI. *Ref:* Smyth of Nibley Papers, Smyth, 18.
Pub: *N. Y. Pub. Lib. Bull.*, III, 252.
 A. L. S.

JUNE 1

- 177.* **John Smyth.** "Copy of my lettre to Mr Berkeley. 1. Junii. 1620 about our accompts for the Virginia ship then returned". NY.
 VI. *Ref:* Smyth of Nibley Papers, Smyth, 15.
Pub: *N. Y. Pub. Lib. Bull.*, III, 250-251.
 Indorsed by John Smyth.

JUNE 7

- 178.* **Sir Edwin Sandys.** A letter to Marquis of Buckingham, justifying his exposures of Sir Thos. Smyth. PRO. [NY]
 VI. *Ref:* State Papers, Colonial, I, No. 51.
 A. L. S. Transcript, New York Public Library, Bancroft Papers, I, 345-353.
- 179.* **Sir Geo. Yeardley.** A letter to [Sir Ed. Sandys], complaining at the lack of provisions sent. MC. [LC]
 IV. *Ref:* Ferrar Papers.
 A. L. S. Indorsed by Sir Ed. Sandys.

JUNE 12

- 180.* **John Pory.** A letter to Sir Edwin Sandys, giving an elaborate description concerning the condition of the colony. MC. [LC]

IV. Ref: Ferrar Papers.

L. S. Marginal note in John Ferrar's autograph. Photographic reproduction and transcript in the Library of Congress.

- 181.* **Sir Edwin Sandys.** A letter to John Ferrar, concerning letters from Virginia. MC. [LC]

VI. Ref: Ferrar Papers.

A. L. S.

JUNE —

- 182.* **William Tracy.** A letter to John Smyth, "about his dispatch into Virgynia, June 1620."

VI. Ref: Smyth of Nibley Papers, Smyth, 17.

NY.

Pub: *N. Y. Pub. Lib. Bull.*, III, 151-152.

A. L. S.

JUNE 22

- 183.* "**Counsell for Virginia**". "A Declaration of the State of the Colony and Affaires in Virginia". Printed. Including also the following:

"A Note of the Shipping, 1619";

"The Names of the Adventurers" with the sums adventured;

A Declaration of the Supplies to be sent, July 18, 1620;

"The Orders and Constitutions . . . for the better gouverning of the Actions and affaires of the [Virginia] Companie";

Also in different editions are found A Declaration of the division of land, 1616;

And A Declaration of November 15, 1620. (1) BM. (2) CAMB.

(3) HARV. (4) JCB. (5) LC. (6) NEWB. (7) NY.

V. Pub: Force, *Tracts*, III, Nos. V, VI.

For a discussion of the difference between the editions and the different supplementary "Declarations" added after the "Orders and Constitutions," see *ante*, pp. 89-90. See also List of Records, Nos. 92, 220.

JUNE 29

- 184.* **James I.** Printed proclamation for the restraint of the disordered trading for tobacco.

I. Ref: Proclamations, James I, No. 82.

PRO.

JULY

- 185.* [**Privy Council.**] Commission to the Lord Treasurer to contract with Sir Thomas Rowe, Abraham Jacob, and Hurdman, Budd, et al. for the importation of tobacco. PRO.

I. Ref: Docquet Book, Signet Office.

- 186.* **Mr. Russell.** "Mr. Russell's proiect touching artificiall wyne in Virginia." NY.

IV. Ref: Smyth of Nibley Papers, Smyth, 30.

Pub: *N. Y. Pub. Lib. Bull.*, III, 255-256.

A. S.

JULY 5

- 187.* **William Tracy.** A letter to John Smyth, concerning "my cousin barkli". NY.

VI. Ref: Smyth of Nibley Papers, Smyth, 20.

Pub: *N. Y. Pub. Lib. Bull.*, III, 253.

A. L. S.

JULY 8

188. **John Chamberlain.** A letter to Sir Dudley Carleton, from London, concerning the election of the Earl of Southampton as treasurer of the Virginia Company. PRO.

VII. Ref: State Papers, Domestic, James I, Vol. CXVI, No. 13.

Pub: Calendar: *State Papers, Domestic*, Vol. CXVI, p. 162.

JULY 12

189. **Virginia Company.** "A Commission graunted vnto Willm Tracy Esq for a voyag intended to Virginia". NY.

III. *Ref:* Smyth of Nibley Papers, Smyth, 3 (22), p. 123.
Pub: *N. Y. Pub. Lib. Bull.*, III, 254-255.

A copy.

JULY 14

- 190.* **Wm. Tracy.** Two letters to John Smyth. NY.

VI. *Ref:* Smyth of Nibley Papers, Smyth, 21, 22.
Pub: *N. Y. Pub. Lib. Bull.*, III, 253-254.

A. L. S.

JULY 19

- 191.* **Sir Edwin Sandys.** A letter to John Ferrar, concerning personal and financial affairs. MC.

III. *Ref:* Ferrar Papers. [LC]

A. L. S.

JULY 23

- 192.* **Privy Council.** Order to the Solicitor General to prepare a patent for North Colony of Virginia. PC.

I. *Ref:* Privy Council Register, James I, Vol. IV, 574.

AUGUST

- 193.* **Virginia Council.** Extract from a letter affecting Capt. Argall. PRO. [LC]

III. *Ref:* Manchester Papers, No. 272.

AUGUST 2

- 194.* **Wm. Tracy.** A letter to John Smyth, concerning Berkeley Hundred. NY.

VI. *Ref:* Smyth of Nibley Papers, Smyth, 23.
Pub: *N. Y. Pub. Lib. Bull.*, III, 256.

A. L. S.

AUGUST 9

- 195.* **Wm. Tracy.** A letter to John Smyth, concerning Berkeley Hundred. NY.

VI. *Ref:* Smyth of Nibley Papers, Smyth, 24.
Pub: *N. Y. Pub. Lib. Bull.*, III, 257.

A. L. S.

AUGUST 18 OR AUGUST 28

- 196.* **Throkmorton, Berkeley, Thorpe & Smyth.** Revocation of Capt. John Woodleaf's commission. NY.

VI. *Ref:* Smyth of Nibley Papers, Smyth, 3 (23), p. 124, also 31.
Pub: *N. Y. Pub. Lib. Bull.*, III, 257-258.

3 (23), copy.

31, "Vera copia ex^t p. Rob: Maundey."

AUGUST 25

- 197.* **Sir Edwin Sandys.** A letter to John Ferrar, concerning demands from Huddleston.

III. *Ref:* Ferrar Papers. MC. [LC]

A. L. S.

AUGUST 28

- 198.* **"Covenants and agreements between Richard Berkeley of Stoke . . . Geo'ge Thorpe . . . Willm Tracy of Gayles" . . . and . . . "John Smyth of Northimbly" . . .** NY.

VI. *Ref:* Smyth of Nibley Papers, Smyth, 3, also 3 (25), pp. 127-129.
Pub: *N. Y. Pub. Lib. Bull.*, III, 276-278.

Copy.

- 199.* **Commission** to George Thorpe & Wm. Tracy as governors of the plantation in Virginia. NY.

VI. *Ref:* Smyth of Nibley Papers, Smyth, 3 (24), pp. 125-126.

Pub: Catalogue: *N. Y. Pub. Lib. Bull.*, I, 186.

Copy.

AUGUST 31

- 200.* **Charter** party with Wm. Ewins for the ship "Supply" in which Wm. Tracy went to Virginia. NY.

III. *Ref:* Smyth of Nibley Papers, Smyth, 3 (29), pp. 134-136.

Pub: Catalogue: *N. Y. Pub. Lib. Bull.*, I, 186.

Copy.

SEPTEMBER

- 201.* **An account** with Ed. Williams for hire of the first ship, and the wages of Toby Felgate, pilot in the first voyage. NY.

VI. *Ref:* Smyth of Nibley Papers, Smyth, 3 (33), p. 142.

Pub: Catalogue: *N. Y. Pub. Lib. Bull.*, I, 187.

- 202.* **The cost** of furnishing the "Supply" sent from Bristol. NY.

VI. *Ref:* Smyth of Nibley Papers, Smyth, 3, pp. 143-150.

Pub: *N. Y. Pub. Lib. Bull.*, III, 283-290.

SEPTEMBER 1

- 203.* **Berkeley, Thorpe, Tracy, and Smyth.** Agreement to supply Richard Smyth and wife, Anthony and Wm., their sons, Robt. Bisaker and wife, and Richard Hopkins with land for cultivation in Virginia. NY.

VI. *Ref:* Smyth of Nibley Papers, Smyth, 3 (27), pp. 132-133.

Pub: Catalogue: *N. Y. Pub. Lib. Bull.*, I, 186.

- 204.* **Wm. Tracy.** A letter to John Smyth concerning Berkeley Hundred. NY.

VI. *Ref:* Smyth of Nibley Papers, Smyth, 25.

Pub: *N. Y. Pub. Lib. Bull.*, III, 278.

A. L. S.

SEPTEMBER 3

- 205.* **List of Settlers.** "A list of men nowe sent for plantacon in Virginia." NY.

VI. *Ref:* Smyth of Nibley Papers, Smyth, 3 (31), pp. 138-139.

Pub: *N. Y. Pub. Lib. Bull.*, III, 290-292.

The day of month not given in MSS.

SEPTEMBER 10

- 206.* **Richard Berkeley and John Smyth.** Instructions and advice to Geo. Thorpe. NY.

VI. *Ref:* Smyth of Nibley Papers, Smyth, 3 (26), pp. 129-131.

Pub: *N. Y. Pub. Lib. Bull.*, III, 278-280.

SEPTEMBER 15

- 207.* **Wm. Tracy.** A letter to John Smyth. Personal affairs of the plantation, otherwise unimportant. NY.

VI. *Ref:* Smyth of Nibley Papers, Smyth, 26.

Pub: Calendar: *N. Y. Pub. Lib. Bull.*, I, 188.

A. L. S.

- 208.* **Agreement** between Richard Berkeley, George Thorpe et al., and Robert Pawlett to go to Virginia as preacher, surgeon, and physician. NY.

VI. *Ref:* Smyth of Nibley Papers, Smyth, 3 (28), p. 133.

Pub: Catalogue: *N. Y. Pub. Lib. Bull.*, I, 186.

1620-22

1620, SEPTEMBER 18-1622, MICHAELMAS

- 209.* **Account** of money expended since Wm. Tracie's departure, September 18, 1620, until Michaelmas, 1622. NY.

VI. *Ref:* Smyth of Nibley Papers, Smyth, 3 (35), pp. 151-152.
Pub: Catalogue: *N. Y. Pub. Lib. Bull.*, I, 187.

1620

SEPTEMBER 18

- 210.* **Thomas Parker.** Certificate of the mayor of Bristol to sailing of "Supply," with names of passengers. NY.

VI. *Ref:* Smyth of Nibley Papers, Smyth, 3 (30), p. 137.
Pub: Catalogue: *N. Y. Pub. Lib. Bull.*, I, 186.

- 211.* **Sir Edwin Sandys.** A letter to John Ferrar, urging Mr. Carter to make three catalogues of indebted adventurers. MC. [LC]

VI. *Ref:* Ferrar Papers.
 A. L. S.

SEPTEMBER 20

- 212.* **John Smyth.** Account of expenses for Virginia plantation. NY.

VI. *Ref:* Smyth of Nibley Papers, Smyth, 32.
Pub: Calendar: *N. Y. Pub. Lib. Bull.*, I, 189.
 Autograph of John Smyth.

SEPTEMBER 22

- 213.* **Timothy Gate.** A letter to his "cosyn M^r Willia^m Tracy att Bristol". NY.

VI. *Ref:* Smyth of Nibley Papers, Smyth, 45.
Pub: *N. Y. Pub. Lib. Bull.*, III, 281.

SEPTEMBER 23

- 214.* **John Bridges.** A letter to John Smyth concerning the incarceration of Tracy. NY.

VI. *Ref:* Smyth of Nibley Papers, Smyth, 29.
Pub: *N. Y. Pub. Lib. Bull.*, III, 281-282.
 A. L. S. with seal.

SEPTEMBER 24

- 215.* **Wm. Tracy.** A letter to John Smyth concerning the journey. NY.

VI. *Ref:* Smyth of Nibley Papers, Smyth, 27.
Pub: *N. Y. Pub. Lib. Bull.*, III, 282.
 A. L. S.

SEPTEMBER 25

- 216.* **William Tracy.** A letter to John Smyth concerning his imprisonment. NY.

VI. *Ref:* Smyth of Nibley Papers, Smyth, 28.
Pub: *N. Y. Pub. Lib. Bull.*, III, 282-283.
 A. L. S.

SEPTEMBER 30

- 217.* **Indenture** between George Thorpe on one part and Robert Oldesworth and John Smyth on the other. NY.

VI. *Ref:* Smyth of Nibley Papers, Smyth, 12.
Pub: Calendar: *N. Y. Pub. Lib. Bull.*, I, 187.

OCTOBER 23

- 218.* **Capt. Butler.** Captain Butler to Nathaniel Rich, stating difference between the 2 earls [Southampton and Warwick]. PRO.

VI. Ref: Manchester Papers, No. 284.

- 219.* **Sir Edwin Sandys.** A letter to John Ferrar, with a reference to Lord Chamberlain.

VI. Ref: Ferrar Papers.

MC. [LC].

A. L. S.

NOVEMBER 15

- 220.* **Councell for Virginia.** Declaration in addition to that of July 18 of ships and supplies to be sent to Virginia, and soliciting planters and money. Printed. NY.

V. Ref: In "Declaration of the State of the Colony and Affaires in Virginia."

See *ante*, No. 183; also *ante*, p. 89-90.

DECEMBER 19

- 221.* **Geo. Thorpe.** A letter to John Smyth from "Southampton Hundred." NY.

VI. Ref: Smyth of Nibley Papers, Smyth, 33.

Pub: *N. Y. Pub. Lib. Bull.*, III, 292-293.

A. L. S.

222. "Greevovs Grones for the Poore," dedicated to the "Company of the Virginian and Sommer Island Plantations." Printed. NEWB.

VII. Ref: Collection of Ed. E. Ayer.

Printed for Michael Sparke.

1621

- 223.* **Virginia Company.** "A note of the shipping, men, and prouisions . . . provided for Virginia by . . . Southampton, and the Company . . ." Printed.

V. Ref: (2) Collection of Broad sides, James I, No. 194. (1) NY. (2) ANT.

224. **Henry Fleet.** Henry Fleet's Journal of Voyage in the "Warwick" to Virginia. LAMB.

IV. Pub: Neill, *The English Colonization of America*.

- 225.* **Virginia Company.** "A Comission granted by the Treasurer Counsell and Company for Virginia to S^r Thomas Smith for the free fishing on the coast of America." BM. [LC]

III. Ref: Additional MSS., 14285, fols. 73-74.

- 226.* **Earl of Warwick** with Edward Bruster concerning the ships "Treasurer" and "Neptune."

III. Ref: Admiralty Court, Instance and Prize, Libel 81, No. 6.

PRO. [LC]

1621(?)

- 227.* "Wallons and French." Promise of certain "Wallons and French" to emigrate to Virginia. PRO.

III. Ref: State Papers, Colonial, I, No. 45.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 498.

1620/21

JANUARY 29

- 228.* **Sir Geo. Yeardley.** Certificate to Council and Company of Virginia of the arrival at Berkeley of 50 persons, with list of names. NY.

IV. Ref: Smyth of Nibley Papers. Smyth, 34.

Pub: Calendar: *N. Y. Pub. Lib. Bull.* I, 189.

A. S. of George Yeardley and Jo: Pory, Secr. Seal and stamp: double rose.

JANUARY 21

- 229.* **Sir Geo. Yeardley & the Council in Virginia.** Copy of a letter to Earl of Southampton and Council and Company for Virginia, forwarding a petition of colonists vs. the King's proclamation forbidding importation of tobacco. PRO.
- IV. Ref: Manchester Papers, No. 290.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 37.
 Certified by John Pory.

FEBRUARY 28

- 230.* **House of Lords.** Act for repressing odious . . . sin of drunkenness and restraint . . . of excess price of beer and ale. $\frac{1}{2}$ of penalties to go to the Virginia Company. HL.
- I. Pub: Calendar: Hist. MSS. Com., *Third Report*, p. 18.

MARCH 4

- 231.* **Privy Council.** Order upon the complaint of Parliament of great abuse of lotteries for raising monies towards the advancement of the plantation in Virginia, & relief of distresses there, suspending the same. PC. [NY]
- I. Ref: (1) Privy Council Register, James I, Vol. V, p. 11. (2) Colonial Entry Book, Vol. 79, p. 201.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 25.
 Transcript, N. Y. Pub. Lib., Bancroft Papers, I, fo. 357.

MARCH 6

- 232.* **Sir George Yeardley.** Grant by Sir Geo. Yeardley, Governor of Virginia. to Geo. Harrison . . . of 200 acres of land . . . PRO. [NY]
- IV. Ref: State Papers, Colonial, James I, Vol. I, No. 53.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 25.
 Original document with autograph signatures, indorsed by John Pory. Transcript. N. Y. Pub. Lib. Bancroft, I, 361-5.

MARCH 8

- 233.* **James I.** Proclamation by the King commanding Virginia Company to forbear license for keeping and continuing any lottery. (1) Q. (2) ANT. (3) PRO. (4) JCB.
- I. Ref: (3) Proclamation. James I, No. 89.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 25.

MARCH 24

- 234.* **Geo. Thorpe.** "A note ffor M^r Ffelgate to receaue his ffraight" NY.
- VI. Ref: Smyth of Nibley Papers, Smyth, 35.
 Pub: Calendar: *N. Y. Pub. Lib. Bull.*, I, 189.
 D. S.

MARCH 30

235. **A true relation of a sea fight between two great well-appointed Spanish men of war and the "Margaret and John."**
- VI. Pub: (1) *Purchas, His Pilgrines*, IV, bk. ix, ch. 14. (2) Brown, *First Republic*, 415-416.

1621

APRIL 12

- 236.* **Wm. Powell.** A letter to Sir Edwin Sandys concerning a difference with Yeardley.
- IV. Ref: Ferrar Papers. MC. [LC]
 A. L. S.
 [Transcript and photographic reproduction in the Library of Congress.]

APRIL 17

- 237.* **House of Lords.** Draft of "An Act for the freer liberty of fishing and fishing voyages to be made and performed in . . . the sea coasts . . . Virginia, New England . . . and parts of America." HL.

I. Ref: Commons Journal, I, 578.
 Pub: Calendar: Hist. MSS. Com., *Third Report*, p. 21.

MAY

- 238.* **Whittaker.** A letter to Sir Edwin Sandys, by "Bona Nova", concerning reception of new men. MC. [LC]

IV. Ref: Ferrar Papers.

A. L. S. Outlined in Nicholas Ferrar's Autograph.
 [Transcript and photographic reproduction of part in the Library of Congress.]

MAY 3

- 239.* **Richard Bucke.** A letter to Sir Edwin Sandys, requesting payment of the sums due.

IV. Ref: Ferrar Papers.

MC. [LC]

A. L. S., with seal.

- 240.* **Council of Virginia.** Warrant by Council for Lieutenant Saunders to have custody of cattle left in Virginia by Captain Martin. PRO.

IV. Ref: State Papers, Colonial, James I, Vol. III, No. 36, III.

Pub: *Virginia Mag. of Hist.*, VII, 146.

MAY 9

- 241.* **Geo. Thorpe and Mr. John Pory.** A letter to Sir E. Sandys. Complaints against Powell and Madison. MC. [LC]

IV. Ref: Ferrar Papers.

MAY 13

- 242.* **Governor and Council of Virginia.** Warrant concerning Capt. John Martin.

IV. Pub: Brown, *First Republic*, 414.

MAY 15 AND 16

- 243.* **Geo. Thorpe and John Pory.** A letter to Sir Edwin Sandys concerning Indians, commodities, and perplexities of government. MC. [LC]

IV. Ref: Ferrar Papers.

MAY 15

- 244.* **George Thorpe and John Pory.** A letter to Sir Edwin Sandys, concerning the commodities and need of clothes, etc. MC. [LC]

IV. Ref: Ferrar Papers.

Autograph letter, with an indorsed summary by John Ferrar.
 [Transcript and photographic reproduction of part in the Library of Congress.]

MAY 16

- 245.* **Sir Geo. Y[eardley (?)].** Copy of a letter to the New Magazine Company by the Bona Nova, concerning personals. MC. [LC]

IV. Ref: Ferrar Papers.

- 246.* ———. Copy by John Pory of a letter to Sir Edwin Sandys in answer to that of Nicholas Hyde. MC. [LC]

IV. Ref: Ferrar Papers.

- 247.* **Sir Geo. Y[ear]dley.** A letter to Sir Edwin Sandys, concerning his acts in the colony and his desire to return home. MC. [LC]

IV. Ref: Ferrar Papers.

Pub: *Virginia Mag. of Hist.*, X, 286-289 (photograph of signature).

A. L. S. Indorsement by John Ferrar.

MAY 24

- 248.* **Abraham Piersey.** Two letters to Sir Edwin Sandys, concerning a fishing voyage to New Foundland from James City, and concerning tobacco trade. MC. [LC]

IV. Ref: Ferrar Papers.

Pub: *Virginia Mag. of Hist.*, X, 418.

A. L. S. With seal.

[Transcript and photographic reproduction in the Library of Congress.]

MAY 27

- 249.* **Capt. Nuce.** A letter to Sir Edwin Sandys, concerning the commodities and lack of provisions.

IV. Ref: Ferrar Papers.

MC. [LC]

In handwriting of a clerk.

[Transcript and photographic reproduction of part in the Library of Congress.]

JUNE 9

- 250.* **Francis Smith.** A letter to Sir Edwin Sandys. Unimportant.

MC. [LC]

VI. Ref: Ferrar Papers.

A. L. S.

[Transcript and photographic reproduction of part in the Library of Congress.]

JUNE 18

- 251.* **Privy Council.** Order concerning North and South Colonies and their fishing relations.

I. Ref: Privy Council Register, James I, Vol. V, p. 58.

PC. [LC]

JUNE 22

- 252.* **Richard Bucke.** A letter to Sir Edwin Sandys, complaining that agreements are not kept by the company. MC. [LC]

IV. Ref: Ferrar Papers.

A. L. S.

[Transcript and photographic reproduction of part in the Library of Congress.]

JUNE 27

- 253.* **George Thorpe.** A letter to Sir Edwin Sandys, concerning matters of small importance.

IV. Ref: Ferrar Papers.

MC. [LC]

A. L. S.

- 254.* **Sir George Yeardley.** A letter to Sir Edwin Sandys, concerning the election of a successor and new arrivals in the colony. MC.

IV. Ref: Ferrar Papers.

Pub: *Virginia Mag. of Hist.*, X, 288-289, (photograph of signature).

A. L. S.

JULY

- 255.* **John Rowe.** A letter to Sir Edwin Sandys.

MC. [LC]

IV. Ref: Ferrar Papers.

A. L. S.

[Transcript and photographic reproduction of a part in the Library of Congress.]

- 256.* **William Ewens.** Covenant on part of Wm. Ewens for 480^l to see that the Ship George 150 tun is staunch and strong and fitted out with furniture and with mariners and seamen, to take on passages and goods and to bring back tobacco from the plantation, with forfeit of 1000^l. BM. [LC]

III. Ref: Additional MSS., 14285, fos. 78a-79a.

- 257.* **Wm. Ewens.** Covenant by Wm. Ewens to fit out the Ship Charles, 80 tun and take same with freight and passengers to Virginia for certain [blank] sum. Forfeit of 1000^l for not returning ship with freight. BM. [LC]

III. Ref: Additional MSS., 14285, fos. 80-81.

JULY 6

- 258.* **Nicholas Ferrar and others.** Warrant to pay Geo. S[andys] £20, addressed to the Earl of Southampton, signed by Nicholas Ferrar, Benett, Blaney, Wyseman. MC. [LC]

III. Ref: Ferrar Papers.

Autograph signatures; indorsement by John Ferrar.
[Photographic reproduction in the Library of Congress.]

JULY 24

- 259.* **J. Barnard and others.** Warrant to Deputy J[ohn] F[errar] for £6 to Joseph Fitch; signed—J. Barnard, N. Rich, Bull, Richard Caswell, John Blande. MC. [LC]

III. Ref: Ferrar Papers.

[Photographic reproduction in the Library of Congress.]

- 260.* **Virginia Company.** "Instructions to the Governor for the time being, and Counsell of State in Virginia." LC.

III. Ref: (1) MS. Records, Virginia Co., III, pt. ii, pp. 11-14. (2) Instructions, commiçons, and letters, 1606-1683, 1-19.

Pub: Outline: Hening, *Virginia Statutes at Large*, I, p. 114. Outline: Stith, *Virginia*, pp. 194-196.

- 261.* **Treasurer and Company.** An Ordinance and Constitution of the Treasurer and Company in England for Council and Assembly in Virginia. LC.

III. Ref: (1) MS. Rec., Virginia Co., III. (2) Instructions, commiçons, etc., 1606-1683, 21-23.

Pub: (1) Hazard, *Hist. Coll. of State Papers*, I, 131-133. (2) Hening, *Virginia Statutes at Large*, I, 110. (3) Stith, *Virginia*, app. 4. Outline, p. 196.

JULY 25

- 262.* **Treasurer and Company.** Letter to Governor and Council in Virginia concerning Wyatt as governor. LC.

III. Ref: (1) MS. Rec. Virginia Co., III, ii, 15, 16. (2) Instructions, commiçons, etc., 1606-1683, pp. 68-75.

Pub: Neill, *Virginia Company of London*, 223-233.

JULY 30

- 263.* **Privy Council.** Copy of a Council order that Lord Treasurer may make warrants of assistance for suppressing the importation and sale of tobacco. KP.

I. Ref: MSS. of Earl De La Warr.

Pub: Calendar: Hist. MSS. Com., *Fourth Report*, 313.

AUGUST 11

- 264.* **Virginia Company.** Answer to the request of the Walloons and French to plant in Virginia, signed by John Ferrar, deputy. PRO. [NY]

III. Ref: State Papers, Colonial, James I, Vol. I, No. 55.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 26.

Transcript: N. Y. Pub. Lib., Bancroft Papers, I, fos. 369-371.

AUGUST 12

- 265.* **Virginia Company.** Letter concerning the sending of maids; Capt. Norton and the Italians, making beads; Mr. Gookin; the French men and families to sail. LC.
- III. Ref: (1) MS. Rec. Virginia Co., III, pt. ii, pp. 17-18a. (2) Instructions, Commiçons, etc., 1606-1683, pp. 76-83.
- Pub: Neill, *Virginia Company of London*, pp. 233-239.

AUGUST 24

- 266.* **Virginia Company.** "A Comission graunted by vs the Trer Counsell and Company for Virginia vnto our louinge freinds Capt Arthur Guy and Nicholas Norburnes for a Voyage intended to Virginia." BM. [LC]
- III. Ref: Additional MSS., 14285, fos. 70-70a.
- 267.* **Treasurer and Company of Virginia.** Covenant to pay Capt. Arthur Guy, Robert Toakley, and John Packesall 300^{li} more for victuall and transportation of said 100 persons.
- III. Ref: Additional MSS., 14285, fos. 71-71a. BM. [LC]
- 268.* ———. Covenant to pay to Capt. Arthur Guy et al. 3^{li} for each tun of goods, provisions, and commodities here put aboard and there delivered. BM. [LC]
- III. Ref: Additional MSS., 14285, fos. 72-72a.

SEPTEMBER 11

- 269.* **Virginia Council and Company.** Letter to Governor and Council in Virginia, concerning the failure of the old magazine and dissatisfaction with the new. LC.
- III. Ref: (1) MS. Records Virginia Co., III, pt. ii, pp. 19-20. (2) Instructions, commiçons, etc., 1606-1683, pp. 84-92.
- Pub: Neill, *Virginia Company of London*, pp. 241-250.

SEPTEMBER 19

- 270.* **Ed. Blayney.** A letter to Sir Ed. Sandys concerning an East India ship. MC. [LC]
- VI. Ref: Ferrar Papers.
- A. L. S.

OCTOBER 1

- 271.* **Sir Edwin Sandys.** A letter to John Ferrar, or to N. Ferrar, concerning personal matters.
- VI. Ref: Ferrar Papers. MC. [LC]

OCTOBER 24

- 272.* **Privy Council.** Order that the Virginia Company is not to have a foreign house for importation of their goods; tobacco to be first landed in England, with respite for four months. (1) PC. (2) PRO. [NY]
- I. Ref: (1) Privy Council Register, James I, Vol. V, p. 173 (new number). (2) Colonial Entry Book, Vol. 79, pp. 201-202.
- Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 26.
- Transcript, New York Public Library, Bancroft Papers, II, fos. 373-375.

OCTOBER 20

- 273.* **John Stratford.** "Mr Tho: Dawson note for all my tobacco sold by him, for mee wth much labor at this poare rate." NY.
- VI. Ref: Smyth of Nibley Papers, Smyth, 39.
- Pub: Calendar: *N. Y. Pub. Lib. Bull.*, I, 189.

1621, NOVEMBER—1624, APRIL

- 274.* **Sir Thomas Smith and Alderman Johnson.** Reply of Sir Thomas Smith and Alderman Johnson to the petition of John Bargrave. PRO.

III. Ref: State Papers, Colonial, James I, Vol. III, No. 12.

Pub: (1) *Virginia Mag. of Hist.*, VI, 378-381. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 60.

NOVEMBER 5

- 275.* **Sir Edwin Sandys.** A letter to John Ferrar, concerning his debts, and also Southampton Hundred. MC. [LC]

VI. Ref: Ferrar Papers.

[Transcript and photographic reproduction in the Library of Congress.]

NOVEMBER 21

- 276.* **Virginia Company.** Grant to Daniel Gats to be master of "Darling," and a permit to fish on the coast of Virginia between 33° and 45° N. lat. BM. [LC]

III. Ref: Additional MSS., 14285, fos. 74a-75.

- 277.* **Council and Company for Virginia.** "A Comission Graunted . . . to John Huddleston for a Voyage to Virginia and for a free fishing on the Coast of America." BM. [LC]

III. Ref: Additional MSS., 14285, fos. 75a-76a.

- 278.* ——— "A Comission Granted . . . to Captaine Tho: Jones M^r of the Discouery, for the free fishing on the Coast of America, Tradinge for furs in Virginia." BM. [LC]

III. Ref: Additional MSS., 14285, fos. 77-78a.

NOVEMBER 26

- 279.* **Virginia Company.** A letter to the governor and council in Virginia, concerning the sending of maids and the trading for furs. LC.

III. Ref: (1) MS. Records Virginia Co., III, pt. ii, p. 20, 20^a. (2) Instructions, Commissions, etc., 1606-1683, pp. 93-95.

Pub: Neill, Edward, *Virginia Company of London*, pp. 263-266.

NOVEMBER 30

- 280.* **Governor and Council in Virginia.** Proclamation warning persons from going aboard ships. LC.

IV. Ref: MS. Records Virginia Co., III, pt. ii, p. 45^a.

DECEMBER

- 281.* **Nicholas Ferrar.** Receipt to John Smyth of Nibley of £6 13^s 4^d for subscription in the "Roule" for trade of furs and for the "Roule" for building of boats and houses. NY.

III. Ref: Smyth of Nibley Papers, Smyth, 36.

Pub: Calendar: *N. Y. Pub. Lib. Bull.*, I, 189.

Signature of Nicholas Ferrar.

DECEMBER 3

- 282.* **Sir Edwin Sandys.** A letter to John Ferrar, concerning his enemies in the Company.

VI. Ref: Ferrar Papers.

MC. [LC]

A. L. S.

DECEMBER 5

- 283.* **Virginia Company.** Letter to the governor and council in Virginia concerning trade and discovery. LC.

III. Ref: (1) MS. Rec. Virginia Co., III, pt. ii, p. 21. (2) Instructions, commissions, etc., 1606-1683, pp. 96-101.

Pub: Neill, *Virginia Company of London*, 267-273.

DECEMBER 15

- 284.* **Privy Council.** A letter to Sir Dudley Carleton, ambassador at States of United Province, against Dutch settling in North Colony of Virginia (called New England). PC.
 I. Ref: Privy Council Register, James I, Vol. V, p. 209.
- 285.* **Peter Arundell.** A letter to Sir Edwin Sandys, complaining at the neglect of the Company, but promising to hide defects. MC. [LC]
 IV. Ref: Ferrar papers.

A. L. S. Transcript and photographic reproduction of part in the Library of Congress.

DECEMBER 23

- 286.* **Governor in Virginia.** Commission by the governor and captain-general of Virginia to Dan'l Tucker to trade with the Indians. LC.
 IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 36.

1622

- 287.* **Draft** of a letter to see that grant of the King to the Company of the importation of tobacco for seven years from Virginia and Bermuda is consigned to them. KP.
 VI. Ref: MSS. of Lord Sackville.
 Pub: Calendar: Hist. MSS. Com., *Seventh Report*, p. 259b.
- 288.* **Mr. Wroth.** Notes from lists showing total number of emigrants to Virginia, and making total loss 3,000 and survivors 1,700, 1619-1622. PRO.
 VI. Ref: Manchester Papers, No. 298.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 38.
- 289.* **Patrick Copland.** A Declaration how the monies viz., 70£ 8^s 6^d were disposed, which were gathered by Mr. Patrick Copland, towards the building of a free schoole in Virginia. PR.
 V. Pub: Calendar: Hist. MSS. Com., *Third Report*, p. 66.
290. **Bermuda Company.** Laws of Bermuda Company on the selection and settlement of "Land in Virginia." XXX, in "Orders and Constitutions" for the Summer Islands. Printed.
 (1) LC. (2) NY.
 V. Pub: Le Froy, *Memorial of the Bermudas*, I, 228.
 An order of court, Feb. 6, 1621/2. Imprint, Felix Kingston.
291. **John Brinsley.** "A Consolation for ovr Grammar Schooles: more especially for all those of an inferiour sort, and all ruder countries and places, namely . . . Virginia with the Sommer Ilands." Printed. (1) JCB. (2) NY.
 V.
 84 pages, quarto. Printed by Richard Field for Thomas Man. 1622.
- 292.* **[Virginia Company.]** "The Inconveniencies that have happened to some Persons which have transported themselves from England to Virginia, without provisions necessary to sustaine themselves: For Preuention of like disorders hereafter,—is published this short declaration—of necessities—." Printed. (1) NY. (2) ANT. (3) JCB.
 V. Ref: (2) Collection of Broad-sides, James I, No. 195.
 Pub: Reprinted in *Purchas, His Pilgrimes*, IV, Bk. IX, ch. 15, sec. IV.
 Imprinted by Felix Kingston. Broadside. For discussion of edition, see *ante*, p. 91.
- 293.* **Edward Waterhouse.** "Declaration of the state of the Colony of Virginia with the Relation of the Massacre" and the names of those massacred.
 V. (1) LC. (2) JCB. (3) HARV. (4) NEWB. (5) PRIV.
 Copies (1) and (2) include "The Inconveniencies." See *ante* No. 292.

1622 (?)

- 294.* **Francis West, Wm. Claiborne et al.** Petition to the King on behalf of the distressed subjects, relating chiefly to tobacco. PRO.
- IV. Ref: State Papers, Colonial, James I, Vol. II, No. 15.
 Pub: (1) *Virginia Mag. of Hist.*, VI, 233. (2) Sainsbury, *Calendar of State Papers*, p. 35.

1621/22

JANUARY

- 295.* **Virginia Council.** Letter to Virginia Company of London, describing the conditions and needs of the colony in detail. LC.
- IV. Ref: MS. Rec. Virginia Co., III, pt. ii, pp. 1-2a.
 Pub: Neill, *Virginia Company of London*, 274-286.
- 296.* **Peter Arundle.** Fragment of a letter to John Smyth of Nibley concerning opportunities of Virginia. NY.
- VI. Ref: Smyth of Nibley Papers, Smyth, 37.
 Pub: *Calendar: N. Y. Pub. Lib. Bull.*, I, 189.
 A. L.

JANUARY 14

- 297.* **Virginia Council.** Settlement of the wages of tradesmen in Virginia. LC.
- IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 46.

JANUARY 16

- 298.* **"A Commission granted by vs the Tre^r Counsell and Companies for Virginia vnto our louinge frend Theodore Wadsworth for a Voyage intended to Virginia."** BM. [LC]
- III. Ref: Additional MSS., 14285, fos. 69-69a.

JANUARY 30

- 299.* **Virginia Company.** The forme of a Patent to such Aduen^{rs} whose shares exceedinge 50^{per} are exempted from payinge any Rent to y^e Company for the persons they transporte. BM. [LC]
- III. Ref: Additional MSS. 14285, fos. 58-64a.

1622, FEBRUARY 4 AND 1623, DECEMBER 11 TO 1624, NOVEMBER 27

300. **Council in Virginia.** The Courte Booke. The original minutes of the Courts of the Council in Virginia, held about once a month, to decide controversies, to hold trials of accused persons, to hear petitions, and to pass orders concerning the affairs of the Colony. LC.
- IV. Ref: MS. Rec. Virginia Colony.

1621/2

FEBRUARY 12

- 301.* **Mayor of Plymouth.** Request to Lord Treasurer of the fulfilment of the promise that they be not interrupted in a fishing voyage for Virginia as threatened by Sir Ferdinand Gorges. PRO.
- VI. Ref: State Papers, Domestic, James I, Vol. cxxvii, No. 92.
 Pub: *Calendar of State Papers, Domestic*, James I, 1619-1623, p. 344.

FEBRUARY 19 (?)

- 302.* **State of case and decision between John Bargrave, plaintiff, and Sir Thomas Smythe et al., defendants, with reference to losses of Bargrave by being prohibited free trade in Virginia, according to his patent.** PRO. [NY]

III. Ref: State Papers, Colonial, James I, Vol. II, No. 4, II.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 29.

Transcript, New York Public Library, Bancroft Papers, I. Fos. 437-453.

FEBRUARY 25

- 303.* **Somers Islands Company.** Court for Somers Islands. Committee to consider planting land granted by Virginia Company has not met, and is commanded to meet hereafter: also names of committee. MC. [LC]

II. Ref: Ferrar Papers.

[Photographic reproduction in the Library of Congress.]

MARCH 6

- 304.* **Somers Islands Company.** Court for Somers Islands: To investigate the government and laws for Somers Islands touching the sending of youths to Virginia. MC. [LC]

II. Ref: Ferrar Papers.

[Photographic reproductions in the Library of Congress.]

1622

MARCH [AFTER 25]

- 305.* **Virginia Company con. Wye.** Defense of Wye. PRO. [LC]

III. Ref: Admiralty Court, Instance and Prize, Libels 81, No. 216.

APRIL

- 306.* **Colony in Virginia.** Letter to Virginia Company of London, describing the massacre and the needs of the Colony. LC.

IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 3, 3^a.

APRIL 9

- 307.* **Sir Edwin Sandys.** A brief letter to John Ferrar requesting frequent letters. MC. [LC]

VI. Ref: Ferrar Papers.

APRIL 12 (?)

- 308.* **John Bargrave.** Charges against the former government of Virginia. PRO. [NY]

VI. Ref: State Papers, Colonial, James I, Vol. II, No. 4, I.

Pub: (1) *Va. Mag. of Hist.*, VI, 225-228. (2) Sainsbury, *Calendar of State Papers*, p. 28.

Transcript, New York Public Library, Bancroft Papers, I, fos. 465-475.

- 309.* ———. Petition to the Privy Council, complaining against the company and asking that his new plan of government be considered. PRO. [NY]

VI. Ref: State Papers, Colonial, James I, Vol. II, No. 4.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, pp. 28-29.

Transcript, New York Public Library, Bancroft Papers, I, fos. 425-427.

APRIL 13

- 310.* **Governor in Virginia.** Commission by Governor and Captain-General of Virginia to Capt. Roger Smith to command Charles City. LC.

IV. Ref: MS. Records Virginia Co., III, pt. ii, p. 37.

APRIL 15

- 311.* **Governor in Virginia.** Commission by governor and captain-general of Virginia to Capt. Ralph Hamer for trading. LC.

IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 37.

APRIL 18

312. **Patrick Copland.** "Virginia's God be Thanked, or a Sermon of Thanksgiving for the Happie success of the affayres in Virginia this last yeare." Printed by order of the company.

(1) JCB (2) NY (3) NEWB. (4) PRIV.

V. *Pub:* Neill, E., *Memoir of Rev. Patrick Copland*, Ch. III.

Dedicated May 22. Printed by J. D. for William Shefford and John Bellamie.

APRIL 19

- 313.* **Governor in Virginia.** Order "By the Governo^r and Captaine generall of Virginia" to Ralph Hamor to bring the people from Wariscoyack. LC.

IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 50^a.

APRIL 20

- 314.* **Governor in Virginia.** Commission by the governor and captain-general of Virginia to Captain Smith to remove the people of Henrico Ileand and Coxendale. LC.

IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 37.

APRIL 22

- 315.* **Sir Edwin Sandys.** A letter to John Ferrar, alleging that petitions to the King emanate from Sir Thos. Smith, and discussing Spanish accusations. MC. [LC]

III. *Ref:* Ferrar Papers.

APRIL 26

- 316.* **Sir Edwin Sandys.** A letter to John Ferrar concerning value of Peirse in the factional differences. MC. [LC]

VI. *Ref:* Ferrar Papers.

A. L. S.

APRIL 30

- 317.* **Sir Edwin Sandys.** A letter to John Ferrar, urging use of "form" in State affairs and approving Capt. Each's proposition with regard to fortifications. MC. [LC]

III. *Ref:* Ferrar Papers.

MAY

318. **Sir Francis Wiat.** Letter from Sir Francis Wiat, governor of Virginia, describing the massacre.

IV. *Pub:* Outline: *Purchas, His Pilgrimes*, Vol. IV, Bk. IX, Ch. 15, Sec. III.

- 319.* **"Accompt** of the charge of the . 4 . servants sent into Virginia in the Ship furtherance."

VI. *Ref:* Smyth of Nibley Papers, Smyth, 3 (36), p. 153.

NY.

MAY 2

- 320.* **Privy Council.** Daniell Frank, William and John Ireland, prisoners . . . to be delivered to the "Governor of the Company of Virginia." PC.

I. *Ref:* Privy Council Register, James I, Vol. V, p. 342.

MAY 7

- 321.* **Governor in Virginia.** Commission by governor and captain-general of Virginia to Capt. Ralph Hamer for trade. LC.

IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 37^a.

MAY 18

- 322.* **Governor in Virginia.** Commission by governor and captain-general of Virginia to Captain Smith to command "Pasbehay." LC.

IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 37.

MAY 20

- 323.* **Virginia Company.** "The Forme of a Patent for such as are Adventurers by payinge money into the Treasury of y^e Company vndertaking to transp: and plant 100: persons."
 III. Ref: Additional MSS., 14285, fos. 49-53. BM. [LC]
- 324.* ———. "The forme of a Patent for a Planter only." An indenture between the Virginia Company and Sir Bowyer Worsly.
 III. Ref: Additional MSS., 14285, fos. 54-57. BM. [LC]
- 325.* ———. A grant for a private Plantation to Johnn Bounall, a Frenchman.
 III. Ref: Additional MSS., 14285, fos. 65-68. BM. [LC]

MAY 30

- 326.* **Capt. John Bargrave.** The answer of Capt. John Bargrave to his own aspersions against the present management. PRO. [NY]
 III. Ref: State Papers, Colonial, James I, Vol. II, No. 7, I.
 Pub: Sainsbury *Calendar of State Papers, Colonial*, p. 30.
 Transcript, New York Public Library, Bancroft Papers, I, fos. 429-433.

JUNE (P)

- 327.* **Capt. John Bargrave.** Petition to Privy Council, declaring he had stated the present government good because pressed by the Council for Virginia to do so. PRO. [NY]
 III. Ref: State Papers, Colonial, James I, Vol. II, No. 8.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 30.
 Transcript, New York Public Library, Bancroft Papers, I, fos. 461-463.

JUNE 10

- 328.* **Virginia Company.** Letter to Governor and Council in Virginia, desiring some commodities sent, and especially silk for the King. LC.
 III. Ref: MS. Rec. Virginia Co., III, pt. ii, pp. 22, 23.

JUNE 15

- 329.* **John Pountis.** Petitions "To S^r Francis Wyate Knight Governor and Captaine Generall of Virginia and to the rest of his Ma^{ties} Counsell in Virginia." LC.
 IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 58.

JUNE 17

- 330.* **The King.** "A copy of the King's letter to the 11s. touching the mainteining of the decree in Chacery for S^r Tho. Smith against Mr. Bargrave." BM. PRO. [LC]
 I. Ref: (1) Additional MSS., 12496, fo. 450. Caesar Papers. (2) State Papers, Domestic, James I, Vol. 131, No. 38.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, pp. 31-32.
- 331.* **Governor in Virginia.** Commission by governor and captain general of Virginia to Captain Maddison to assist the Potomacks in war. LC.
 IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 37^a, 38.

JUNE 19

332. **John Martin, Robert Haswell.** Petition to King to take certain forest land in Virginia into his own hands. LC.
 II. Ref: MS. Court Book, Virginia Co., II, 20.
 Pub: Kingsbury, *Rec. Virginia Co.*, II.
 Court of this date.

- 333. Virginia Company.** Answer of the counsell and company to the petition of John Martin and Hassell. LC.
 II. Ref: MS. Court Book, Virginia Co., II, 21.
 Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, II, 21.
 (3) Neill, E., *Virginia Company of London*, 312-313.
- 334. Adam Dixon.** Petition to King concerning the possession of land in Virginia. LC.
 II. Ref: MS. Court Book, Virginia Co., II, 22.
 Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, I, 188-189.
 Court of this date.
- 335. Virginia Company.** Answer of the Virginia Company to the petition of Adam Dixon. LC.
 II. Ref: MS. Court Book, Virginia Co., II, 23.
 Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, I, 189.
- 336. William Kemp.** The grievances of the inhabitants of Kikatan (Elizabeth City) by the testimony of William Kemp. LC.
 II. Ref: MS. Court Book, Virginia Co., II, 23.
 Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, I, 190-191.
 Court of this date.
- 337. Virginia Company.** Answer of the Virginia Company to the grievances of William Kemp. LC.
 II. Ref: MS. Court Book, Virginia Co., II, 23.
 Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, I, 191.
- 338. Capt. Mathew Somers.** Petition in the Kings Bench to the King concerning the discovery and right to the Somers Islands. LC.
 II. Ref: MS. Court Book, Virginia Co., II, p. 24.
 Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, I, 192-193.
 Court of this date.
- 339. Virginia Company.** Answer of the Virginia Company to the petition of Mathew Somers. LC.
 II. Ref: MS. Court Book, Virginia Co., II, 25.
 Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, I, 193-195.
- 340. ———.** Letter to Captain Argoll. LC.
 II. Ref: MS. Court Book, Virginia Co., II, 27-28.
 Pub: Kingsbury, *Rec. Virginia Co.*, II.

JUNE 20

- 341.* Sir Francis Wyatt.** Commission to Sir George Yardley to command on an expedition upon the coasts from 33° to 40° to make new discoveries for another settlement. LC.
 IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 38.

JUNE 21

- 342.* ———.** Proclamation against drunkenness, swearing, stealing boats. LC.
 IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 46*.

JUNE 27

- 343.* Robert Newland.** A letter to Nicholas Ferrar, concerning preparation to sail for Virginia. MC. [LC]
 III. Ref: Ferrar Papers.
 A. L. S.

JUNE 29

- 344. Virginia Company.** Propositions to the lord high treasurer concerning the tobacco contract. LC.
 II. Ref: MS. Court Book, Virginia Co., II, 31.
 Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, I, 196-198.

JULY 3

- 345. Virginia Company.** Propositions to the lord high treasurer concerning the tobacco contract. LC.
- II. *Ref:* MS. Court Book, Virginia Co., II, 50-51.
Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, I, 215-218.

JULY 10

- 346. Mo(u)rninge Virginia.** Printed. (Mentioned in Register of London Company of Stationers, 1562-1638.)
- V. *Pub:* Cited: Report of Amer. Hist. Assoc., 1896, Vol. I, pp. 1251-1261.

JULY 9 OR 11

- 347.* John Bonoeil.** Reprint of the treatise on the culture of silk worms, including:
- (1) **The King.** Letter to treasurer, deputy, and others of the Virginia Company, recommending the setting up of silk works.
- (2) **Virginia Council and Company.** Letter to the governor and council in Virginia, endorsing the King's letter. Printed. (1) HARV. (2) JCB. (3) NY. (4) PRIV.
- V. *Pub:* Sainsbury, *Calendar of State Papers, Colonial*, pp. 31, 41 (King's letter).
 Imprinted Felix Kingston. King's letter is mentioned in Docquet Book, James I. See *ante*, No. 150.

JULY 11

- 348.* Privy Council.** Order concerning the Spanish vessel wrecked on coast of Bermudas, of which Virginia Company had made restitution.
- I. *Ref:* (1) Privy Council Register, James I, Vol. V, p. 431. (2) Colonial Entry Book, Vol. 79, p. 202.
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 31.

JULY 13

- 349. John Chamberlain.** A letter to Sir Dudley Carleton, concerning a ship arrived from Virginia with news that savages have by surprise slain 350 (circum) of the English. PRO.
- VII. *Ref:* State Papers, Domestic, James I, Vol. 132, No. 38.
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 31.

JULY 14

- 350. Sir Thomas Wilson.** Indians have killed in Virginia 300-400 English, and but for accident man, mother, and child had all been slain. PRO.
- VII. *Ref:* State Papers, Domestic, James I, Vol. 132, No. 41.
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 31.

JULY 16

- 351.* Privy Council.** Order for a report on petition of John Bargrave against Sir Thomas Smythe, Alderman Johnson, and others for unjust practices and miscarriage of government of the Virginia plantation. PC. [NY]
- I. *Ref:* Privy Council Register, James I, Vol. V, p. 439.
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 31.
 Transcript: New York Public Library, Bancroft, I, fo. 477.

- 352.* Governor in Virginia.** Commission from governor and captain-general of Virginia to Daniel Tucker to command a plantation. LC.
- IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 36*.

JULY 17

- 353.* Note of articles ready or to be provided for exportation by Virginia Company.** BM. [LC]
- III. *Ref:* Cotton MSS., Otho, E. X., fo. 121.

JULY 17 (1)

- 354.* **Note of arms in the Tower** for which the Virginia Company are suitors. To be delivered to them. PRO.

I. Ref: State Papers, Colonial, James I, Vol. II, No. 9.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 32.

JULY 29

- 355.* **Privy Council.** Order of Privy Council that old cast arms in Tower, unfit for modern use, be delivered to Virginia Company for use against Indians. (1) PC. (2) PRO. [NY]

I. Ref: (1) Privy Council Register, James I, Vol. V, p. 449. (2) Colonial Entry Book, Vol. 79, p. 202.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 32.
 Transcript: New York Public Library, Bancroft Papers, I, fos. 481-483.

AUGUST 1

- 356.* **Treasurer and Council for Virginia.** Letter to governor and council in Virginia, concerning protection from Indians and sole importation of tobacco. LC.

III. Ref: (1) MS. Rec. Virginia Co., III, pt. ii, pp. 23^a-25. (2) Instructions, Commissions, and Letters, 1606-1683, pp. 102-107.
 Pub: Neill, *Virginia Company of London*, pp. 322-333.

- 357.* **John Smyth.** A list of servants remaining in Virginia. NY.

VI. Ref: Smyth of Nibley Papers, Smyth 3 (37), pp. 153-154.
 Pub: *N. Y. Pub. Lib. Bull.*, Vol. III, pp. 293-294. Catalogue: *Ibid.*, I, p. 187.
 Autograph of John Smith.

AUGUST 12

- 358.* **Privy Council.** A warrant staying the execution of Jas. Wharton and an order sending him to Virginia. PC.

I. Ref: Privy Council Register, James I, Vol. V, p. 465.

SEPTEMBER

- 359.* **John Carter.** Petition to the Privy Council of a poor distressed prisoner to be recommended for transportation to Virginia. PRO.

III. Ref: State Papers, Colonial, James I, Vol. II, No. 12. State Papers, Domestic, James I, Vol. 133, No. 10.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 33.

- 360.* **"A warrant to the lord Trër, to give order . . . for . . . delivery vnto the Company for the Virginia Plantacon of 1000. browne bills."** PRO.

I. Ref: Docquet Book, Signet Office, Vol. 7.

- 361.* **Sir Edwin Sandys.** A letter to Mr. John Ferrar, concerning the discouragements in the Virginia business, the ill effects of the bad news from Lady Wyatt, and his plans for Virginia.

III. Ref: Ferrar Papers. MC.
 Pub: *Virginia Mag. of Hist.*, X, 417-418.
 A. L.

SEPTEMBER 10

- 362.* **Governor in Virginia.** Commission by governor and captain-general of Virginia to Sir George Yeardley to make war on the Indians; also for his voyage to Pamunkey. LC.

IV. Ref: MS. Rec. Virginia Co., III, pt. ii, pp. 38^a, 39.
 16455—VOL 1—06—11

SEPTEMBER 11

363. "The Late Massacre in Virginia." "A Poem."

PRO

V. Ref: Manchester Papers.

Pub: Cited: *Amer. Hist. Assoc. Rpt.*, 1896, I, pp. 1251-1261.

SEPTEMBER 23

- 364.* Sir Edwin Sandys. Letter to John Ferrar, concerning books and letters to be sent to Colony by "Abigail." MC. [LC]

III. Ref: Ferrar Papers.

A. L. S.

1622/3

BETWEEN OCTOBER AND JANUARY

- 365.* Thomasin Woodshawe. Petition to the governor of Virginia. LC.

IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 58.

- 366.* Richard Pace. Petition to governor and council in Virginia. LC.

IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 58.

1622

OCTOBER 7

- 367.* Virginia Company. A letter to the governor and council in Virginia, concerning further advice about destroying the Indians. LC.

III. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 25^a-27.

Pub: Neill, *Virginia Company of London*, pp. 347-359.

OCTOBER 13

- 368.* Sir Edwin Sandys. A letter to John Ferrar, concerning "Ferrar's remembrances." Grieves at desperate condition of Colony. MC. [LC]

VI. Ref: Ferrar Papers.

A. L. S.

OCTOBER 18

- 369.* Thomas Hamour. Petition to governor and council in Virginia. LC.

IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 58.

OCTOBER 23

- 370.* Governor of Virginia. Commission to Capt. Ralph Hamer to force a trade with the Indians for provisions for the Colony. LC.

IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 39.

OCTOBER 24

- 371.* Governor of Virginia. Commission to Capt. William Eden, alias Sampson, to trade for corn, etc., between the lat. 33° and 40°. LC.

IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 39^a.

OCTOBER 31

- 372.* Privy Council. Order that, on Thursday A. M., Nov. 14 [1622], the parties on both sides bring witnesses before the Lords, and the Cape Merchant of the Virginia Company be present. PC.

I. Ref: Privy Council Register, James I, Vol. V, p. 509.

NOVEMBER 2

- 373.* **George Sandis.** Petition to governor and council in Virginia concerning the transfer of servants of William Nuce, lately deceased, to his estates in lieu of £50 indebtedness.

IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 39. LC.

NOVEMBER 12

- 374.* **Governor of Virginia.** Commission to Captain Isaak Maddison and Robert Bennet to trade for corn between the lat. 33° and 40°.

IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 39^a. LC.

NOVEMBER 13

375. **John Donne.** A sermon preached to the Honorable Companie of the Virginia Plantacon by John Dun (i. e. Donne) deane of St. Pauls, London. Printed.

V. (1) JCB. (2) NY. (3) PR IV. (4) MHS. (5) NEWB.

Imprinted London: A. Neat: for Thomas Jones, 1622.

NOVEMBER 16

376. **John Chamberlain.** A letter to Sir Dudley Carleton concerning the sermon by the Dean of Pauls.

VII. Ref: State Papers, Domestic, James I, Vol. 134, No. 15.

Pub: Calendar: *State Papers, Domestic*, Vol. 134. PRO.

NOVEMBER 20

- 377.* **Privy Council.** A warrant to deliver John Carter to Lord Sackville to be sent to Virginia.

I. Ref: Privy Council Register, James I, Vol. V, p. 516. PC.

NOVEMBER 26

- 378.* **Privy Council.** Order to Capt. John Bargrave vs. Sir Thomas Smyth to deliver his complaint in writing.

I. Ref: Privy Council Register, James I, Vol. V, p. 518. PC.

DECEMBER

- 379.* **Henry Marten.** Decree in case of the Virginia Company with Wye, absolving Wye.

III. Ref: Admiralty Court, Instance and Prize, Libels 81, No. 216. PRO. [LC]

- 380.* **Younge vs. Roberts,** on ground that Wye, master of ship Garland, expelled Younge on aspersions of Roberts.

III. Ref: Admiralty Court, Instance and Prize, Libels 81, No. 256. PRO.

DECEMBER 1

381. **Doctor Donne.** A letter to Sir Thos. Roe, giving particulars concerning his sermon before the King and Virginia Company.

VII. Ref: State Papers, Domestic, James I, Vol. 134, No. 59. PRO.

DECEMBER 9

- 382.* **John Marten.** "The Requests of my brother John Marten to the Virginia Cōpany: his offer touch. that Cōpany."

III. Ref: Additional MSS., 12496, fo. 452. (Caesar Papers.) BM. [LC]

DECEMBER 10

- 383.* **Governor and Council in Virginia.** Proclamation of governor and council in Virginia against engrossing commodities.

IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 47. LC.

DECEMBER 15

- 384.* **Jhō. [John] Martin.** "The manner howe to bringe the Indians into subiection wthout makinge an utter extirpation of them together wth the reasons." BM. [LC]
 VI. Ref: Additional MSS., 12496, fos. 459-460. (Caesar Papers.)
- 385.* ——— "The manner howe Virginia may be made a Royall plantation——." BM. [LC]
 VI. Ref: Additional MSS., 12496, fos. 456-457. (Caesar Papers.)

DECEMBER 17

386. **Council for New England.** Letter to be written to the treasurer of Virginia Company against Jones for robbing natives of New England of their furs and taking some prisoners.
 VI. Ref: State Papers, Colonial, James I, Vol. II, pp. 24-25. PRO.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 35.

DECEMBER 18

387. **Sir Thomas Coventry.** Sir Thomas Coventry (attorney general) to the Earl of Middlesex, returning the Proclamation for Tobacco, corrected. KP.
 VII. Ref: MSS. of Earl De La Warr.
 Pub: Calendar: Hist. MSS. Com., *Fourth Report*, p. 315.

[WINTER]

388. **Captain Butler.** Captain Butler's Dismasking of Virginia. (1) LC. (2) PRO. [NY]
 IV. Ref: (1) MS. Court Book, Virginia Co., II, 271-2. (2) State Papers, Colonial, James I, Vol. II, No. 20.
 Pub: (1) Kingsbury *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, II, 171-173. (3) Sainsbury, *Calendar of State Papers*, p. 39.

1623

- 389.* **Governor and Council of Virginia.** Petition to the King for the grant of the sole importation of tobacco to them and to Somers Island. PRO.
 III. Ref: State Papers, Colonial, James I, Vol. I, p. 5.
 Pub: Sainsbury, *Calendar of State Papers*, p. 56.

[1622/3]

390. **Paper touching the discussion of salaries in the Summer Islands company.** PRO.
 II. Ref: Manchester Papers, No. 300.
 Pub: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 38.

1623 (?)

- 391.* **Proportion of the charge to furnish and transport six men to Virginia, estimated at £114 19^s. 6^d.**
 III. Ref: State Papers, Colonial, James I, Vol. II, No. 54. PRO. [NY]
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 56.
 Transcript New York Public Library, Bancroft, II, fos. 5-7.

1623

- 392.* **Petition for a warrant by the late Undertakers for the importation of Tobacco.** At council it was agreed that the Undertakers should receive 3 d. per pound on 28000 pounds.
 III. Ref: MSS. of Earl De La Warr. KP.
 Pub: Calendar: Hist. MSS. Comm., *Fourth Report*, p. 283.

1623 (?) OR 1617

- 393.* The King.** Order to Archbishops of Canterbury and York, requiring them to arrange for the collection of liberal contributions, so that the Undertakers of the Virginia plantation may erect churches and schools. PRO.

- I. *Ref:* State Papers, Colonial, James I, Vol. II, No. 37.
Pub: (1) Anderson, *History of the Church of England in the Colonies*, pp. 315-316. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 49.
 Date in Sainsbury, 1623, but given by Alexander Brown, 1617.

1623 (?)

EARLY

- 394.* Mr. Gibbs.** To Sir E. Sa[nd]. Notes of proceedings before Lords Commissioners concerning Captain Butler's unmasking of Virginia, Thomas Smith's records, the "black box," etc.

- I. *Ref:* Ferrar Papers. MC. [LC]
 Indorsement in the autograph of John Ferrar. Photographic reproduction in the Library of Congress.

- 395.* Alderman Johnson.** "Alderman Johnsons Declaratione of the Prosperous estate of the Colony duringe Sr Th. Smiths tyme of Gouverment." (1) LC. (2) PRO. [LC]

- III. *Ref:* (1) MS. Rec. Virginia Co., III, pt. 1, p. 4. (2) Manchester Papers, Nos. 344-346. The Manchester paper gives the conclusion.

1622/3 (?)

- 396.* Statement** of advantages to Virginia and Summer Island companies of a contract in force compared with a previous period from 1619. PRO.

Ref: Manchester Papers, No. 311.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 38.

Autograph of Edward Collingwood (?).

1622/3

BETWEEN JANUARY AND APRIL

- 397.* John Robinson's son.** Petition to Governor Wyatt. LC.

- IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 58.^a

JANUARY 3

- 398.* Governor in Virginia.** Instructions by governor and captain general of Virginia to Tucker concerning trade. LC.

- IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 36.

JANUARY 4

- 399.* Charles Harmoun.** Petition to Governor Wyatt. LC.

- IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 38.

JANUARY 20

- 400.* Virginia Council.** Letter from Council in Virginia to Virginia Company of London, acknowledging arms sent, and defending colonists for acts in massacre. LC.

- IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, pp. 4-5.^a

Pub: Neill, *Virginia Company of London*, pp. 363-376.

JANUARY 23

- 401.* **Privy Council.** Order that John Bargrave forbear troubling Sir Thomas Smith. PC.
 I. Ref: Privy Council Register, James I, Vol. V, p. 564.

JANUARY 24

- 402.* **George Harrison.** Letter to his brother, John Harrison. Accounts with Mr. Bennett. PRO.
 VI. Ref: State Papers, Colonial, James I, Vol. II, No. 17.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 38.

[FEBRUARY]

- 403.* **The Governor, Council, and Assembly of Virginia to the King,** representing Capt. Nathan Butler's information entitled "The Unmasking of Virginia." PRO. [NY]
 IV. Ref: State Papers, Colonial, James I, Vol. II, No. 20.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 38.

A. S. Transcript. New York Public Library. Bancroft Papers, I, Fos.497-527.

- 404.* **[Sir Nathan. Rich.]** Rough notes touching the affairs of the Virginia and Summer Island Companies, especially the salary. (fragment). PRO.
 VI. Ref: Manchester Papers, No. 304.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 38.

[FEBRUARY]?

- 405.* **Papers** touching discussion of salaries in the Summer Island Company, on Feb. 17, 1622/3, June 10, 1618. PRO.
 II. Ref: Manchester Papers, No. 309.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 38.

FEBRUARY 2.

- 406.* **Privy Council.** Order for a contract between the Lord Treasurer on behalf of King and the Virginia Company touching the importation of tobacco. (1) PC. (2) PRO.
 I. Ref: (1) Privy Council Register, James I, Vol. V, p. 583. (2) Colonial Entry Book, Vol. 79, p. 203.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 37.

FEBRUARY 4

407. **Mr. Wrote.** Mr. Wrote's Project concerning salaries. LC.
 II. Ref: MS. Court Book, Virginia Co., II, 136.
 Pub: Kingsbury, *Rec. Virginia Co.*, II.
 408. **Objections** against the salaries. LC.
 II. Ref: MS. Court Book, Virginia Co., II, 168-169.
 Pub: Kingsbury, *Rec. Virginia Co.*, II.

FEBRUARY 14

- 409.* **Governor of Virginia.** Order or warrant demanding sassafras, 60,000 pounds, to be sent home. LC.
 IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 51*.

FEBRUARY 27

410. **Proposition** agreed on by the Lord High Treasurer of England and the Company of Virginia and the Summer Islands touching the sole importation of tobacco. KP.
 III. Ref: Duke of Dorset Collection.
 Pub: Peckard, *Memoirs of Nicholas Ferrar*.

[MARCH]

- 411.* [Sir Nathan. Rich.] First Rough Draft of a proposition for the advancement of His Majesty's profit, and the good of Virginia and the Summer Islands by settling the trade of tobacco.

PRO.

III. Ref: Manchester Papers, Nos. 312, 313.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 38.

412. Paper touching the discussion of salaries in the Summer Islands Company.

PRO.

VII. Ref: Manchester Papers, No. 310.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 38.

1622/3, MARCH, TO 1624, JULY

- 413.* Rough notes of an estimate of the value to the King for a year of the proposed preemption of tobacco and pepper.

PRO.

III. Ref: Manchester Papers, No. 314.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 38.

[MARCH]

- 414.* [Sir Nathan. Rich.] Notes on the Tobacco Contract.

PRO.

III. Ref: Manchester Papers, No. 316.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 39.

MARCH

- 415.* G. S.[andys]? A letter to Mr. Farrer by the "Hopewell."

PRO.

IV. Ref: Manchester Papers, No. 318.

Pub: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 39.

A. L. S. Photograph of autograph in the Library of Congress.

MARCH 4

416. Privy Council. Order concerning the importation of goods from colony to enforce order of October 21, 1621.

(1) LC. (2) PRO. (3) PC. [NY]

II. Ref: (1) MS. Court Book, Virginia Co., II, 232-233. (2) Colonial Entry Book, Vol. 79, p. 203. (3) Privy Council Register, James I, Vol. V, p. 618.

Pub: (1) Kingsbury, *Rec. Virginia Co.*, Vol. II. (2) Brock, *Virginia Company*, II, 126-127. (3) Sainsbury, *Calendar of State Papers, Colonial*, p. 40.

- 417.* Governor in Virginia. Order of the governor and captain-general of Virginia to keep the 22d of March holy, forever after. Date of the massacre.

LC.

IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 51^a.

MARCH 5

418. Virginia Colony. Petition to King concerning the tobacco trade.

LC.

II. Ref: MS. Court Book, Virginia Co., II, 221.

Pub: (1) Kingsbury, *Rec. Virginia Co.*, Vol. II. (2) Brock, *Virginia Company*, II, 221.

MARCH 5

- 419.* Frethorne. Copy of a letter from Frethorne to Bateman, describing the distress of the colony due to the massacre.

PRO.

VI. Ref: Manchester Papers, No. 317.

MARCH 7

420. Virginia Company. Answer to Privy Council, concerning importation of goods and tobacco from colony.

LC.

II. Ref: MS. Court Book, Virginia Co., II, 236-237.

Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, II, 130-131.

- 421.* **Order** of court for Virginia and Summer Island, concerning Lord Cavendish's omission of a part of Lord Treasurer's Speech at Counsell Table touching Alderman Johnson.

II. *Ref:* Ferrar Papers. MC. [LC]

Photographic reproduction in Library of Congress.

Signed by Ed. Collingwood. Indorsed in autograph of Collingwood.

- 422.* **A** rough draft of above.

MC. LC.

II. *Ref:* Ferrar Papers.

Indorsed in Collingwood's and John Ferrar's writing.

Holograph of Ed. Collingwood.

MARCH 17

- 423.* **Extraordinary** court of Sumer Island, concerning the grievances of inhabitants of Summer Island. Part of the blurred book (?).

MC. [LC]

II. *Ref:* Ferrar Papers.

Photographic reproduction and transcript in the Library of Congress.

Marginal entries in autograph of John Ferrar.

MARCH 20

- 424.* **Reasons** offered to Privy Council against Sir Edwin Sandys's contract and joint stock for the Virginia and Summer Island tobacco, and against monopoly of tobacco. PRO. [NY]

III. *Ref:* State Papers, Colonial, James I, Vol. III, No. 10.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 59.

Transcript: New York Public Library, Bancroft Papers, II, 413-429.

Date in Sainsbury, March 20, 1623/4. On MS. in contemporary writing, March 20, 1622/3.

MARCH 24

425. **Virginia Company.** Petition to the Privy Council concerning importation of tobacco. LC.

III. *Ref:* MS. Court Book, Virginia Co., II, 244-248.

Pub: (1) Kingsbury, *Rec. Virginia Co.*, Vol. II. (2) Brock, *Virginia Company*, II, 137-143.

MARCH 27

- 426.* [Lord Treasurer Middlesex.] Copy of a letter to officers and farmers of customs, and to Abraham and John Jacob, the collectors who had delayed the passing of the tobacco in a ship from the Bermudas. PRO.

I. *Ref:* Manchester Papers, No. 293.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 37.

1623

MARCH 28

- 427.* **George Sandys.** Letter from George Sandys to Samuel Wrote. PRO.

IV. *Ref:* Manchester Papers, No. 319.

Pub: Neill, E., *Virginia Vetusta*, pp. 122-127. Calendar: Hist., MSS. Com., *Eighth Report*, pt. 2, p. 39.

Holograph.

428. **Samuel Matthews.** A letter concerning the property of Thomas Sheffield, and his son, who was tongue-tied. PRO.

III. *Ref:* Admiralty Court, Instance and Prize, Libels 80, No. 118.

MARCH 30

- 429.* **George Sandys.** A letter to his brother, Sir Samuel Sandys, imputing the cause of "theyr ill proceedings to y^e directions from hence." PRO.
 IV. Ref: Manchester Papers, No. 320.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 39.
- 430.* ——— A letter to his brother, Sir Miles Sandys, complaining that the colony would have been strong had they settled close together. PRO.
 IV. Ref: Manchester Papers, No. 321.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 39.
- 431.* **Virginia Council.** Virginia Council to Lord Treasurer Mandeville, concerning tobacco.
 III. Ref: State Papers, Colonial, James I, Vol. II, No. 21. PRO. [NY]
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 41.
 Transcript: New York Public Library, Bancroft Papers, II, folios 9-13.

MARCH 31

- 432.* **William Capp.** A letter to John Ferrar complaining of George Sandys, approving the governor, and censuring the company. PRO.
 IV. Ref: Manchester Papers, No. 322.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 39.
- [MARCH OR APRIL (?)]
- 433.* **William Capps.** A letter to Dr. Wynston, censuring the council. A friend of Captain Butler.
 VI. Ref: Manchester Papers, No. 323. PRO.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 39.

[APRIL?]

- 434.* **[Nathan. Rich]** Bargrave's charge against Sir Thomas Smyth, with answers in rough draft by [Nathan. Rich.] PRO.
 VI. Ref: Manchester Papers, No. 351.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 43.

[APRIL OR MAY?]

- 435.* **Nathan. Butler.** A letter to Nathaniel Rich. PRO.
 VI. Ref: Manchester Papers, No. 355.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, pp. 43-44.
- 436.* **List** of names of persons fit to be Governor and Deputy Governor of Virginia and Summer Island Companies. PRO.
 VI. Ref: Manchester Papers, Nos. 356, 357, 358, 359.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 44.

[APRIL-JUNE]

- 437.* **[Nathan. Rich]** Notes of the "lres from Virginia; all but Frethorne's, wch must be added out of the Coppy at large." PRO.
 VI. Ref: Manchester Papers, No. 340.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 42.

BETWEEN APRIL AND MAY

- 438.* **[N. Rich]** Rough notes of heads and references to prove charges of mismanagement against the Sandys faction of the Virginia Company. PRO. [LC]
 VI. Ref: Manchester Papers, No. 342.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 42.

BETWEEN APRIL AND JUNE

- 439.* Adventurers and Planters.** Complaint from adventurers and planters to His Majesty's commissioners against Sir Ed. Sandys et al. in the last four years of the government.
 III. Ref: Manchester Papers, No. 343. PRO.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 42.
- 440.* [Alderman Johnson]** Part of a draft of a statement (under heads numbered 10-39) touching the miserable condition of Virginia and its causes. PRO.
 VI. Ref: Manchester Papers, Nos. 347, 348.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, pp. 42-43.
- 441.* Statement** "from attestation of divers sufficient understanding sea men" as to the bad condition in Virginia. PRO.
 IV. Ref: Manchester Papers, No. 349.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 43.
- 442.* [N. Rich]** Beginning of rough draft of a certificate affirming the truth of statements of Captain Butler. PRO.
 III. Ref: Manchester Papers, No. 350.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 43.
- 443.* Note** of the men sent to Virginia in Sir Thomas Smythe's time, over 600 "confessed," with names of ships conveying them. PRO.
 VI. Ref: Manchester Papers, No. 352.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 43.

[APRIL?]

- 444.* Answer** of Adventurers and Planters in Virginia and Summer Islands to a petition exhibited to His Majesty by Lord Cavendish et al. in name of Companies. PRO.
 III. Ref: Manchester Papers, No. 353.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 43.

APRIL

- 445. Alderman Jonnson.** Petition of Adventurers and Planters to the King, praying the appointment of a commission to investigate the abuses of the Virginia affairs and propound a reform. (1) PRO. (2) LC.
 VI. Ref: (1) Manchester Papers, No. 328. (2) MS. Court Book of the Virginia Company, II, 270-271.
 Pub: (1) Kingsbury, *Records Virginia Co.*, II. (2) Neill, *Virginia Company of London*, pp. 387-389. (3) Brock, *Virginia Company*, II, 169-170.
 The indorsement gives Alderman Johnson as the author. The autograph is quite different from Johnson's. This is recorded in the Court Book under the date of April 18.
- 446.* "Names** of Adventurers that dislike y^e present proceedings of business in y^e Virginia and Somers Islands Companies." PRO.
 VI. Ref: Manchester Papers, No. 327.
 Pub: Brown, *Genesis*, II, 982.
 Indorsement in autograph of N. Rich.

[APRIL]

- 447.* "Articles** of Inquirie for the Counc^{rs} of Virginia" etc. Addressed to Nath. Rich. PRO.
 VI. Ref: Manchester Papers, Nos. 331, 332, 333.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 40.
 Autograph similar to George Sandys's.

[APRIL?]

- 448.* **Alderman Johnson.** "Alderman Johnson's rough draught to a Commission & the petition to his Mat^r." PRO. [LC]

VI. Ref: Manchester Papers, No. 329.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 40.

Photograph of part in Library of Congress.

- 449.* **Heads** of inquiries in Virginia by commissioners there. PRO.

VI. Ref: Manchester Papers, No. 334.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, pp. 40-41.

Autograph similar to John Harvey's.

- 450.* **P. Arundle.** Extract from letter of P. Arundle, recounting how Spilman was cut off by Indians, and attributing treachery to the example of Europeans. PRO.

VI. Ref: Manchester Papers, No. 341.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 42.

- 451.* **Account** of a small supply sent to Virginia in the "Bonny Bess," April, 1623. NY.

VI. Ref: Smyth of Nibley Papers, Smyth, 3 (38), p. 155.

Pub: Catalogue: *N. Y. Pub. Lib. Bull.*, I, 157.

In John Smith's autograph.

BETWEEN APRIL AND SEPTEMBER

- 452.* **Samuel Moll.** Petition to Governor Wyatt to sell and return to England. LC.

IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 59^a.

- 453.* **Thomas Passmore.** Petition to Governor Wyatt concerning service of indentured servant.

IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 59.

LC.

- 454.* **Petition** to Governor Wyatt by "Margaret and John's" Company, asking freedom from bond to Mr. Douglas. LC.

IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 59.

APRIL 2 AND 3

- 455.* **Richard Frethorne.** A copy of a letter to his father and mother, concerning suffering from want. PRO.

VI. Ref: Manchester Papers, No. 325.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 40.

AFTER APRIL 4

- 456.* **Council in Virginia.** Letter from the Council in Virginia to the Virginia Company in London, telling of the recovery of the colony. LC.

IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 7.

APRIL 4

- 457.* **Council in Virginia.** Letter to Virginia Company of London, describing attempts for sassafras & silke-grass; return of planters to different houses, etc., and treaty with Indians. (1) LC. (2) PRO.

IV. Ref: (1) MS. Rec. Virginia Co., III, pt. ii, pp. 6, 6^a. (2) State Papers, Colonial, James I, Vol. II, No. 22.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, pp. 41-42.

APRIL 12

458. **Virginia Company.** Petition to the King concerning Alderman Johnson's petition. LC.

III. Ref: MS. Court Book, Virginia Co., II, 263-264.

Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, II, 164.

APRIL 7

- 459.* **Sir Francis Wyatt.** A letter to John Ferrar, giving particulars of rebuilding of colony and advising extinction of the Indians and martial law. PRO. [NY]

IV. Ref: State Papers, Colonial, James I, Vol. II, No. 26.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 42.

Transcript, New York Public Library, Bancroft Papers, II, fos. 33-41.

APRIL 8

- 460.* **George Sandys.** A letter to John Ferrar, relating the distressed condition of the colony.

IV. Ref: State Papers, Colonial, James I, Vol. II, Nos. 27, 35. PRO. [NY]

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 42.

No. 35 is an autograph letter and is indorsed Sandys to the Company. Transcript, New York Public Library, Bancroft Papers, II, fos. 45-59.

APRIL 11

- 461.* **George Sandys.** A letter to John Ferrar. PRO.

IV. Ref: Manchester Papers, No. 326.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 40.

APRIL 12

462. **Virginia Company.** A relation to the King concerning the proceedings of colonies.

(1) LC. (2) PRO.

III. Ref: (1) MS. Court Book, Virginia Co., II, 255-263. (2) Manchester Papers, No. 360.

Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, II, 152-162.

(3) Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 44.

463. ——— A declaration of the present state of Virginia presented to the King. LC.

III. Ref: MS. Court Book, Virginia Co., II, 253.

Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, II, 148-151.

APRIL 14

- 464.* **Christopher Davison.** A letter to John Ferrar concerning the arrival of the "Margaret and John" in distress from an attack by the Spanish. PRO. [NY]

IV. Ref: State Papers, Colonial, James I, Vol. II, No. 28.

Pub: (1) *Virginia Mag. of Hist.*, VI, 243-244. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 43.

Transcript, New York Public Library, Bancroft Papers, II, fos. 61-65.

- 465.* **[Nathan. Rich.]** Draft of instructions to the commissioners to investigate the Virginia affairs. PRO.

VI. Ref: Manchester Papers, No. 330.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 40.

APRIL 15

- 466.* **Captain Kendall.** A letter from the Summer Islands to Sir Ed. Sandys telling of the blowing up of the "Seaflower," bound for Virginia. MC. [LC]

IV. Ref: Ferrar Papers.

A. L. S. Photographic reproduction of part and transcript in the Library of Congress.

APRIL 17

- 467.* **Privy Council.** An order that, upon hearing Lord Cavendish and others, representatives, a commission be appointed to inquire into the true state of Virginia and Somers Island plantations. PC.

I. Ref: Privy Council Register, James I, Vol. V, pp. 668-669.

Pub: (1) LeFroy, *Memorials of the Bermudas*, I, 289-290. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 44.

APRIL 18

468. **Lord Treasurer Middlesex.** A letter to Secretary Conway, concerning proceedings in Privy Council for the King's information respecting the differences of the two companies of Virginia and Somers Islands. PRO.
- I. Ref: State Papers, Domestic, James I, Addenda, Vol. 43.
 Pub: (1) LeFroy, *Memorials of the Bermudas*, I, 290-291. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 44.

APRIL 19

469. **John Chamberlain.** A letter to Sir Dudley Carleton concerning the great faction in the Virginia Company. PRO.
- VII. Ref: State Papers, Domestic, James I, Vol. 143, No. 22.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 44.

APRIL 21

- 470.* **"Coppie of the Courte books deliuered by order of the Lords of his Ma^{ties} Counsell to the Secretary."** A Receipt for Court Books from Jan. 28, 1606, to April 2, 1623.
- III. Ref: Ferrar Papers. MC. [LC]
 Photographic Reproduction in the Library of Congress.
- 471.* **"A Memoriall of some things w^{ch} it may please the IIs to insert in their Lo^{ps} letters to Virginia and the Summer Islands."** PRO.
- VI. Ref: Manchester Papers, No. 335.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 41.
 Indorsed in Autograph of N. Rich: "deliv. by me to the L. Treas."

APRIL 23, 25

- 472.* **John Wright.** A petition to Governor Wyatt demanding that Mr. Douglas deliver certain goods to him which he had had in partnership with Mr. Langley, deceased, master of ship.
- IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 59. LC.

APRIL 24 AND MAY 3

- 473.* **Petition to Governor Wyatt and Council in Virginia by passengers in the Margaret and John** complaining of/evil treatment. LC.
- IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 58^a.

APRIL 24

474. **Lord Treas. Middlesex.** Lord Treas. Middlesex to Secretary Conway, stating that the draft of the Ireland and Virginia commissioners is ready. PRO.
- VII. Ref: State Papers, Domestic, James I, Vol. 143, No. 60.
 Pub: Calendar: *State Papers, Domestic*, Vol. 143.

APRIL 26 AND MAY 3

- 475.* **John Loyde.** Petition to Governor and Council in Virginia demanding freedom from apprenticeship to Langley. LC.
- IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 59.

APRIL 28

- 476.* **Privy Council.** Order disallowing the letters of the Virginia Company to the colony and dissolving the tobacco contract. (1) PC. (2) & (3) LC.
- I. Ref: (1) Privy Council Register, James I, Vol. V, p. 674. (2) MS. Rec. Virginia Co., III, pt. i, p. 1^a. (3) Instructions, Commission, and Letters, 1606-1683, pp. 61-62.
 Pub: (1) LeFroy, *Memorials of the Bermudas*, I, 293-294. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 45.

- 477.* **Privy Council.** Letter to "Governor, Council and Colony in Virginia," urging care of fortifications, provisions, and habitations. (1) & (3) LC. (2) PRO. (4) PC. [NY]
 I. Ref: (1) MS. Rec. Virginia Co., III, pt. i, p. 1. (2) Colonial Entry Book, Vol. 79, p. 205. (3) Instructions, Commissions, Letters, 1606-1683, pp. 59-60. (4) Privy Council Register, James I, Vol. V, p. 675.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 45.
 Transcript, New York Public Library, Bancroft Papers, II, fos. 93-95.
- 478.* — Letter to the "Councell in Virginia," announcing Act of Court in London concerning Tobacco. LC. PRO.
 I. Ref: (1) Colonial Entry Book, Vol. 79, p. 204. (2) Privy Council Register, James I, Vol. V, p. 674.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 45.
- 479.* — Copy of a letter to the Governor of Virginia, sent by "Bonny Bess." MC.
 I. Ref: Ferrar Papers.
480. **Planters.** Answer of Planters to Captain Butler's "Unmasked face of Virginia" as it was written in 1622. LC.
 IV. Ref: MS. Court Book, Virginia Co., II, 275-277.
 Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Neill, *Virginia Company of London*, pp. 395-404. (3) Brock, *Virginia Company*, II, 175-183.

APRIL 29

- 481.* **Governor in Virginia.** Proclamation calling for labor on the fort at Wariscoyack. LC.
 IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 50^a.

[MAY ?]

- 482.* **Nicholas Ferrar.** Nicholas Ferrar's computation by which he would prove that to pay but 9^d per pound for Planters' tobacco and bring all in is worse than before to pay 12^d and be at liberty to bring in what we will. PRO.
 VI. Ref: Colonial Entry Book, Vol. 74, p. 204. Manchester Papers, No. 354.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 43.
 Indorsed in autograph of Nath. Rich.
- 483.* "A Briefe Answere to a declaracon made and delivered to his Matie" in Easter week, concerning accusations against the colony. PRO.
 VI. Ref: Manchester Papers, Nos. 361, 362.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, pp. 44, 45.
 No. 361 is in Nathaniel Rich's autograph. No. 362 is in that of Alderman Johnson.
- 484.* [Nicholas] **Farrar.** "The names of divers Knights, Citizens and Burgesses of Lower House of Commons that are Adventurers and Free of Virginia Compagny and yet have not followed the bussiness for sundry yeares." PRO.
 VI. Ref: Manchester Papers, No. 371.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 46.
 Autograph of Nicholas Ferrar. Indorsed in autograph of N. Rich as "by Mr. Farrar."

[MAY]

- 485.* [Nath. Rich?] Heads of two letters to be written to Virginia Company by Mr. Secretary, declaring His Majesty's pleasure respecting restraint of factious persons, and suggesting limitation of adventurers. PRO.
 VI. Ref: Manchester Papers, Nos. 372, 373.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 46.

- 486.* **The Petition** and the heads of suggested answer to an intended petition of the Virginia Company to the King to reconsider his letter respecting constitution of their courts. PRO.

VI. Ref: Manchester Papers, Nos. 374, 375.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 46.

- 487.* **Alderman Johnson**. Draft of Mr. Johnson's observations on the mode of interpreting his Majesty's letter, adopted by some members of the [Virginia] court. PRO.

VI. Ref: Manchester Papers, No. 377.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 46.

- 488.* **Adventurers and Planters**. Petition to the Privy Council by sundry adventurers and planters of the Virginia and Summer Islands Companies, concerning unjust accusations, read by Nicholas Ferrar on April 30. PRO.

III. Ref: Manchester Papers, No. 363.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 45.

MAY 2

- 489.* **Virginia Company**. Letter to the Governor and Council in Virginia, concerning commodities and the tobacco contract. Revised by the Privy Council. LC.

III. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 27.^a Instructions, Commissions and Letters, 1606-1683, pp. 110-112.

Pub: Neill, *Virginia Company of London*, 391-394.

MAY 4

- 490.* **Anthony Hilton**. A letter to his mother, concerning the colony. PRO.

VI. Ref: Manchester Papers, No. 364.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 45.

MAY 7

491. **Virginia Company**. True answer to Captain Butler's "The Unmasked face of our colonie in Virginia." (1) LC. (2) BM. PRO.

III. Ref: (1) MS. Court Book, Virginia Co., II, 286-287. (2) Sloane, 1039, fo. 92 (part of the document).

Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, II, 191-194.

492. **Virginia Council**. Declaration to his Majesty by the Counsell for Virginia [in London], concerning dissensions in the companies. LC.

III. Ref: MS. Court Book, Virginia Co., II, 288-298.

Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, II, 195-205.

493. **Planters and Adventurers**. The answer of planters and adventurers to Alderman Johnson's petition. LC.

III. Ref: MS. Court Book, Virginia Co., II, 283-285.

Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, II, 186-191.

494. **Virginia and Summer Islands Companies**. Petition to King requesting thorough investigation of Virginia affairs and the return of their records, sequestered 14 days since. LC.

III. Ref: MS. Court Book, Virginia Co., II, 299.

Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, II, 205-207.

MAY [BETWEEN 7 AND 13]

- 495.* **Adventurers and Planters**. Petition of "sundry adventurers and planters of the Virginia and Summer Islands Companies to Privy Council to command Lord Cavendish, S^r E. Sandys, Mr. John and Nicholas Farrar to appear with certain writings of May 7." PRO. [LC]

III. Ref: Manchester papers, No. 366.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 45.

MAY 8

- 496.* **Secretary Conway.** A letter to Sir Ed. Sackville, from Theobalds, concerning the petition on behalf of Virginia. PRO.
- VI. Ref: State Papers, Domestic, James I, Vol. 214.
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 45.
- 497.* ———. A letter to Secretary Calvert, from Theobalds, to hasten the passing of the commission concerning Virginia.
- I. Ref: State Papers, Domestic, James I, Vol. 214.
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 45.

[PROBABLY BEFORE MAY 7]

- 498.* **Governor in Virginia.** Proclamation of the governor and captain-general of Virginia to be careful of the savage treachery. LC.
Ref: MS. Records, Virginia Co., III, pt. ii, p. 47^a.

MAY 9

- 499.* **Privy Council.** Commission to Sir William Jones, Sir Nicholas Fortescue, Sir Thomas Gofton, Sir Richard Sutton, Sir William Pitt, Sir Henry Bourchier, and Sir Henry Spiller to investigate the conditions of disputes in Virginia, and report method of procedure.
(1) BM. (2) PRO. (3) LC.
- I. Ref: (1) Additional MSS., 29975, fos. 63-64. (2) Docquet Book, Signet Office, Vol. 7; Patent Roll 21, James I, 19th part. (3) Virginia Misc. Records (Bland copy), pp. 126-132.

- 500.* **Governor in Virginia.** Proclamation by the governor and captain-general of Virginia for planting sufficient corn. LC.
IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p.

MAY 11

- 501.* **Governor in Virginia.** Commission by governor and captain-general of Virginia to Captain Smith to build a fort at Warosquayak. LC.
IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 40.

MAY 12

- 502.* **Governor in Virginia.** Commission by governor and captain-general of Virginia to Gilbert Peppet to trade with y^e Indians. LC.
IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 40.
- 503.* ———. Commission by governor of Virginia to Capt. Ralph Tucker to go against the Indians. LC.
IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 50^a.

MAY 13

- 504.* **Governor in Virginia.** Warrant of governor in Virginia for sending every twentieth man to work on the fort at Wariscayack. LC.
IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 51^a.
- 505.* **Privy Council.** Order demanding that John and Nicholas Ferrar, of the Virginia Company, be confined to houses till further order, as guilty of contempt of Order of Council Table.
(1) PRO. (2) PC.
- I. Ref: (1) Colonial Entry Book, Vol. 79, pp. 205-206. (2) Privy Council Register, James I, Vol. V, p. 699.
Pub: (1) Brown, *First Republic*, 526. (2) Sainsbury, *Calendar of State Papers, Colonial*, pp. 45-46.

MAY 14

506.* **Secretary Calvert.** A letter to the Earl of Southampton, notifying the Virginia Company not to proceed with election of officers until the pleasure of King be known.

I. Ref: State Papers, Colonial, James I, Vol. II, No. 29. PRO. [NY]

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 46.

Transcript: New York Public Library, Bancroft Papers, II, fos. 101-2.

507.* **Secretary Sir George Calvert.** A letter to Secretary Conway, stating that election of officers of Virginia Company is ordered postponed by King in Council till next court.

VII. Ref: State Papers, Domestic, James I, Vol. 144, No. 45. PRO.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 46.

MAY 16

508.* [Nathan Rich.] "Note which I presently took of Captain John Bargrave's discourse to me concerning Sir Edwin Sandys." PRO.

VI. Ref: Manchester Papers, No. 368.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 45.

MAY 18

509. **The King.** Letter to the Virginia Company concerning the appointment of Commissioners.

I. Ref: MS. Court Book, Virginia Co., II, 317-318. LC.

Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, II, 217.

MAY 18, 21

510.* **Privy Council.** Orders releasing Lord Cavendish, Sir Edwin Sandys, and John and Nicholas Ferrar. PC.

I. Ref: Privy Council Register, James I, Vol. I, p. 709.

[AFTER MAY 18]

511.* **Virginia Company.** Reasons alleged to persuade the King to reconsider his letter of May 18 not permitting members of Company to meet unless having planters in Virginia.

III. Ref: Manchester Papers, No. 376. PRO.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 46.

For the petition formulated, see *ante* No. 482.

MAY 20

512.* **The King.** Copy of a letter to Governor and Company of Summer Islands to keep meetings and place distinct from Virginia Company, and concerning choice of officers. PRO.

I. Ref: Manchester Papers, No. 369.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 45.

MAY 22

513.* **Privy Council.** Order demanding that all records of Virginia and Somers Islands Companies be delivered to the Commissioners, and that packets from the Colonies be opened by the Commissioners hereafter and be disposed of at will. (1) PRO. (2) PC.

I. Ref: (1) Colonial Entry Book, Vol. 79, pp. 206-207. (2) Privy Council Register, James I, Vol. V, p. 714.

Pub: (1) Brown, A., *First Republic*, pp. 532-533. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 46.

MAY 29

514.* **Governor in Virginia.** Commission by governor and captain-general of Virginia to Captain Pierce to be captain of y^e guard. LC.

IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 40^a.

[JUNE OR JULY?]

- 515.* Draft of a preliminary report of the commissioners on the condition of the colony of Virginia.**
 VI. Ref: Manchester Papers, No. 382. PRO.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 46.

[JUNE?]

- 516.* [N. Rich.] Rough draft of a project for the better government of the colony and company.**
 VI. Ref: Manchester Papers, No. 381. PRO. [LC]
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 46.

JUNE (P)

- 517.* Virginia Council.** Treasurer and council for Virginia to the Privy Council concerning Capt. John Bargrave's Petition. PRO.
 III. Ref: State Papers, Colonial, James I, Vol. II, No. 7.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 30.

JUNE

- 518.* List of 72 patents granted to several persons named, all of whom have divers partners "whose names and several shares we do not know."** PRO.
 III. Ref: State Papers, Colonial, James I, Vol. II, No. 33.
 Pub: (1) Brown, *First Republic*, pp. 628-630. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 47.
- 519.* List of shareholders in Virginia Company, with the number of shares and reason for allotment—by purchase or otherwise, March, 1616-June, 1623.** PRO.
 III. Ref: State Papers, Colonial, James I, Vol. II, No. 33.
 Pub: (1) *Virginia Mag. of Hist.* IV, 299-310. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 47.

JUNE 4

- 520. The King.** Letter to the Virginia Company. (1) LC. (2) PRO.
 I. Ref: (1) MS. Court Book, Virginia Co., II, 319. (2) Manchester Papers, No. 378.
 Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, II, 218-219.
 (3) Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 46.
 The document in Manchester papers is indorsed "Vera Copia" and bears the autograph signature of Ed. Collingwood, Secre.
- 521.* Examination of Captain Isaac and Mary Madison and Serjeant John Harris, taken before Sir Francis Wyatt, Governor, and the Council of Virginia, and Christopher Davison, Secretary, touching supposed contract of marriage three or four days after husband's death; since she has disavowed said contract and formed a new one with William Ferrar.** PRO.
 IV. Ref: State Papers, Colonial, James I, Vol. II, No. 30.
 Pub: (1) Brown, *First Republic*, 563-565. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 46.
 Signed: "Extract," Ed. Sharpless, Cler.

JUNE 14

- 522. Colony in Virginia.** Letter to Virginia Company, concerning a settlement about the fort, Martin's Hundred, and the seizing of Dutch and French Traders as prizes. LC.
 IV. Ref: MS. Court Book, Virginia Co., II, 348.
 Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, II, 238-9.

JUNE 19

523.* "Notes Taken out of Ires wch came from Virginia in the Abigail and were del the Comrs"

VI. Ref: Manchester Papers, Nos. 338, 339.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, pp. 41-42.

PRO.

JUNE 23

524.* [Sir Nathaniel Rich]. Draft of a proposition, delivered to the Lord Treasurer, for resettling the estate of Virginia.

PRO.

VI. Ref: Manchester Papers, No. 379.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 46.

JUNE 24

525. James I. Letter to Virginia Company, to forbear election of officers. (1) LC. (2) PRO.

I. Ref: (1) MS. Court Book, Virginia Co., II, 329. (2) Manchester Papers, No. 380.

Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, II, 220-221.
(3) Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 46.

JUNE 25

526. A quarter court held for Virginia.

MC.

II. Ref: Ferrar Papers.

Pub: Kingsbury, *Rec. Virginia Co.*, II.

Original of the entry in the MS. Court Book; see date.

JUNE 30

527.* Secretary Conway. A letter to Secretary Sir George Calvert, concerning desire of King that the Lords of the Privy Council attend promptly to the business of the Virginia Company until concluded.

PRO.

VII. Ref: State Papers, Domestic, James I, Vol. 147, No. 88.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 47.

[JULY 1]

528.* Draft of an answer or notes for an answer to the proposition made by Lord Chichester for the better settling of the Plantation in Virginia.

PRO.

VI. Ref: Manchester Papers, No. 387.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 47.

529.* Captain Baily. I. Project that the King should make a plantation in Virginia or New England by transportation of poor.

II. Project concerning Virginia.

PRO.

VI. Ref: State Papers, Domestic, James I, Vol. 189, Nos. 36, 53.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, pp. 50, 56.

JULY 2

530. Virginia Company. Answer to the Privy Council stating that they have taken consideration as to a supply, and asking until Friday to advise. (1) LC. (2) PRO. [NY]

III. Ref: (1) MS. Court Book, Virginia Co., II, 333. (2) State Papers, Colonial, James I, Vol. II, No. 34.

Pub: (1) Kingsbury, *Rec. Virginia Co.*, post, II. (2) Brock, *Virginia Company*, II, 226. (3) Sainsbury, *Calendar of State Papers, Colonial*, p. 47.

Transcript: New York Public Library, Bancroft papers, Vol. II, fos. 113-115.

- 531. Lord President Mandeville.** A letter to Secretary Conway stating that the Virginia Company have taken measures for the relief of misery in colony, and are considering rules for better government. PRO. [NY]

VII. *Ref:* State Papers, Colonial, James I, Vol. II, No. 35.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 47.

Transcript: New York Public Library, Bancroft papers, Vol. II, fos. 109-111.

- 532.* Delphebus Canne.** A letter from Virginia to John Delbridge, concerning want in the colony and the hope for a good harvest. PRO. [NY]

VI. *Ref:* State Papers, Colonial, James I, Vol. II, No. 36.

Pub: Calendar: (1) *Virginia Mag. of Hist.*, 373-374. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 48.

Transcript: New York Public Library, Bancroft papers, Vol. II, fos. 117-123.

- 533.* Privy Council.** Rules set down for the better government in Virginia. PRO.

I. *Ref:* State Papers, Colonial, James I, Vol. II, No. 35.

Pub: (1) Brown, *First Republic*, 543. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 48.

JULY 3

- 534.* Secretary Conway.** A letter to Lord Treasurer Middlesex, concerning the refusal of the Virginia Company to comply with the King's request; to be referred to the Attorney-General. PRO.

VII. *Ref:* State Papers, Domestic, James I, Vol. 148, No. 19.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 48.

JULY 4

- 535.* Privy Council.** Order on a representation of Lord Cavendish and others of the Virginia Company, concerning relief to Virginia planters in danger of famine by a general contribution of the whole company. (1) PRO. (2) PC. [NY]

I. *Ref:* (1) Colonial Entry Book, Vol. 79, p. 207. (2) Privy Council Register, James I, Vol. VI, p. 55.

Pub: (1) Brown, *First Republic*, 539. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 49.

Transcript, New York Public Library, Bancroft Papers, Vol. II, fos. 129-131.

JULY [4]

- 536.* List** of names of those who will adventure, and amounts subscribed for victuals and provisions to be sent to relief of colony and to particular friends. PRO. [NY]

III. *Ref:* State Papers, Colonial, James I, Vol. II, No. 38.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 49.

Transcript, New York Public Library, Bancroft Papers, Vol. II, fos. 135-149.

JULY 4

- 537.* Privy Council.** Order to restore Samuel Wrot to his place of counsellor for Virginia and to have session and free vote in courts, notwithstanding deprivation from counsell and suspension from courts. PC.

I. *Ref:* Privy Council Register, James I, Vol. VI, p. 57.

- 538.* List** of names who will adventure and amounts to be paid to Richard Caswell, chosen treasurer for the present magazine, for necessary provisions for Virginia. Total, £727.

III. *Ref:* State Papers, Colonial, James I, Vol. II, No. 39. PRO. [NY]

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 49.

Transcript, New York Public Library, Bancroft Papers, Vol. II, fos. 125-127.

539. "At a Court held for Virginia on Friday in y^e Forenoone y^e 4th of July, 1623." MC.
 II. Ref: Ferrar Papers.
 Pub: Kingsbury, *Rec. Virginia Co.*, II.
 Original of the entry in the MS. Court Book, see date.

JULY 5

540. Lord President Mandeville. A letter to Secretary Conway, concerning the measures taken by the Virginia Company for the relief of the colony. PRO. [NY]
 VII. Ref: State Papers, Colonial, James I, Vol. II, No. 40.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 49.
 Transcript, New York Public Library, Bancroft Papers, Vol. II, fos. 133-137.

JULY 9

541. Virginia Court. "M^r Deputy acqwaynted y^e Comp^s that according to y^e direc^on of y^e Last Court he presented to y^e LL^s, of his Ma^{ty} privy Counsell a short Declara^on that was then ordered to be drawne vp, wherein (among other things) was signified of y^e Companies intent to send a speedy supply to Virginia." MC.
 II. Ref: Ferrar Papers.
 Pub: Kingsbury, *Rec. Virginia Co.*, post, II.
 Original of the entry in the MS. Court Book, see date.

JULY 12

542. [N. Rich.] Rough draft of heads of charges against governors of Virginia Company presented to the commissioners. PRO.
 VI. Ref: Manchester Papers, No. 386.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 47.

JULY 15

- 543.* Record of a meeting of the grand committee to answer to the 15 articles prepared against the company at a meeting of the commissioners. MC.
 III. Ref: Ferrar Papers.

JULY 17, 23

- 544.* Governor Wyatt. Commission to Capt. Pierce to burn y^e Indians' Corn; with a minute of the other commissions of that sort and the time when they fell upon the Indians.
 IV. Ref: MS. Rec., Virginia Co., III, pt. ii, p. 41. LC.

JULY 19

- 545.* Privy Council. Order giving allowance of pay to officers attending on the commissioners to examine the Virginia business. PC.
 I. Ref: (1) Colonial Entry Book, Vol. 79, p. 207. (2) Privy Council Register, James I, Vol. VI, p. 72.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 50.

JULY 21

- 546.* [Secretary Conway.] A letter to Sir Thomas Smythe et al., asking their opinion on Captain Bailly's proposition. PRO.
 VI. Ref: State Papers, Domestic, James I, Vol. 149, No. 16.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 50.

JULY 22

547.* **Privy Council.** Order appointing Lords Grandison, Carew, and Chichester to take notes hereto adjoined into consideration, and to frame therefrom such orders as are most fit for regulating the government of Virginia. (1) PRO. (2) PC. [NY]

- I. Ref: (1) Colonial Entry Book, Vol. 79, p. 194. (2) Privy Council Register, James I, Vol. VI, p. 76.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 50.

Transcript, New York Public Library, Bancroft Papers, Vol. II, fo. 141.

JULY 23

548.* **An account** of sums subscribed and supplies sent since April last for the relief of Virginia, with the names of vessels. £3,300. PRO. [NY]

- III. Ref: State Papers, Colonial, James I, Vol. II, No. 42.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 50.

Transcript, New York Public Library, Bancroft Papers, Vol. II, fos. 157-161.

JULY 26

549. **John Chamberlain.** A letter to Sir Dudley Carleton, concerning the strife between the factions of the Earl of Warwick and of Lord Cavendish. PRO.

- VII. Ref: State Papers, Domestic, James I, Vol. 149, No. 48.

Pub: (1) Le Froy, *Memorials of the Bermudas*, I, 322-323. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 51.

JULY 28

550.* **Lord President Mandeville.** A letter to Secretary Conway, stating that the Attorney-General is to pass upon the power of the King to issue another patent to the Virginia Company. PRO.

- VII. Ref: State Papers, Domestic, James I, Vol. 149, No. 76.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 51.

JULY 31

551.* **Attorney-General Coventry and Solicitor-General Heath.** A letter to the King, giving an opinion concerning the resuming of the patent of the Virginia Company.

- I. Ref: State Papers, Colonial, James I, Vol. II, No. 43. PRO. [NY]

Pub: (1) Brown, *First Republic*, 547-548. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 51.

Transcript, New York Public Library, Bancroft Papers, Vol. II, fos. 165-171.

552.* **Note** of victuals and provision sent by private persons to Virginia in the "George," which is to go to Gravesend on Monday next. [Total, £536.] PRO. [NY]

- III. Ref: State Papers, Colonial, James I, Vol. II, No. 43. I, II.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 51.

Transcript, New York Public Library, Bancroft Papers, Vol. II, fos. 153-155. [Gives date July 23.]

AUGUST

553.* **Protection** to Captain John Bargrave.

PRO.

- I. Ref: Docquet Book. Signet Office.

AUGUST 6

554.* **Virginia Company.** Letter to the governor and council in Virginia, concerning the letter of Lords Council in regard to a change in government. LC.

- III. Ref: (1) MS. Rec. Virginia Co., III, pt. ii, pp. 28-30. (2) Instructions, Commissions, and Letters, 1606-1683, pp. 113-124.

AUGUST 12

555. **Lord Chichester.** A letter to the Countess of Warwick touching the projected duel between the Earl of Warwick and Lord Cavendish. PRO.
 VII. *Ref:* Manchester Papers, No. 160.
Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 29.

AUGUST 31

- 556.* **Governor in Virginia.** Proclamation settling the rates of commodities. LC.
 IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 48^a.
 557.* ——— Proclamation about the payment of debts. LC.
 IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 49.

BETWEEN SEPTEMBER AND OCTOBER

- 558.* **Stephen Gingby and others.** Petition to governor of Virginia by Stephen Gingby and the rest of the company belonging to the "Everett" of Midleborough. LC.
 IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 60.
 559.* **William Crakeplace.** Petition to the governor in Virginia, demanding that the contract with Mr. Langley be fulfilled by Mr. Douglas, his successor as master of the "Margaret and John." LC.
 IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 59^a.

SEPTEMBER 4, 8

- 560.* **John Penreis.** Petition to governor and council in Virginia in regard to rights of trading.
 IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 59^a. LC.

SEPTEMBER 4

- 561.* **Governor in Virginia.** Proclamation about trading with Indians for corn in the bay. LC.
 IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 49.

SEPTEMBER 16

- 562.* **Invoice** of goods sent to Virginia by John Harrison in "Marmaduke," John Dennis, master, for use of George Harrison. PRO.
 VI. *Ref:* State Papers, Colonial, James I, Vol. II, No. 44.
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 52.

SEPTEMBER 21

- 563.* **Governor in Virginia.** Proclamation about stealing of birds and beasts of domestical and tame nature. LC.
 IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 49.

1623/4

OCTOBER TO FEBRUARY

- 564.* **Michael Wilcocks.** Petition to Governor Wyatt, demanding that at the end of his year's service William Candy pay him 180 pounds of tobacco and build a house, as agreed.
 IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 60^a. LC.

BETWEEN OCTOBER AND FEBRUARY

- 565.* **Carsten Berksam.** Petition to governor and council, requesting to be sent home because of the death of his father. LC.
 IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 60.

1623

OCTOBER

- 566.* **Thomas Pasmore.** Petition to governor of Virginia, concerning payment by Valentine Osserly of money due. LC.
- IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 60.
- 567.* **Governor in Virginia.** Warrant for the levy of taxes. LC.
- IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 52, 52a.
- 568.* ———. Order reducing the fine for nonpayment of a tax of 86 pounds of sassafras on each man from 10 pounds on each 100 pounds of sassafras to 4 pounds of tobacco. LC.
- IV. Ref: MS. Rec. Virginia Co., pt. ii, pp. 52-52a.

OCTOBER 3

569. **Lord President Mandeville.** A letter to [Secretary Conway], dispatching a messenger after the deputy of Virginia Company, as none of the company will take anything upon themselves in the absence of the governor. PRO.
- VII. Ref: State Papers, Domestic, James I, Vol. 153, No. 14.
- Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 52.

OCTOBER 8

- 570.* **Privy Council.** A letter to the governor and council in Virginia, announcing the intention of the King to change the government of the Colony. Their Lorp^s. first Order. (1)-(3) LC (4) PRO [NY]
- I. Ref: (1) MS. Rec. Virginia Co., III, pt. i, p. 2a. (2) MS. Court Book, Virginia Co., II, 338-339. (3) Instructions, Commissions and Letters, 1606-1683 (Vellum Book), pp. 63-64. [18th century copy.] (4) State Papers, Colonial, II, No. 45; Colonial Entry Book, Vol. 79, pp. 195-196.
- Pub: (1) Kingsbury, *Rec. Virginia Co., post*, II. (2) Brock, *Virginia Company*, II, 229-230. (3) Brown, *First Republic*, 550-551. (4) Sainsbury, *Calendar of State Papers, Colonial*, p. 52.
- Transcript, New York Public Library, Bancroft Papers, Vol. II, fos. 177-181.
- 571.* ———. Order for S^r William Jones et al., the commissioners, to examine into the state of Virginia and the Summer Islands, to continue inquiry and report to the board at convenient time. (1) PRO. (2) PC. [NY]
- I. Ref: (1) Colonial Entry Book, Vol. 79, p. 195. (2) Privy Council Register, James I Vol. VI, p. 123.
- Pub: (1) Brown, *First Republic*, 550-552. (2) Le Froy, *Memorials of the Bermudas*, I, 323-324. (3) Sainsbury, *Calendar of State Papers, Colonial*, p. 52.
- Transcript, New York Public Library, Bancroft Papers, Vol. II, fo. 173.

OCTOBER 11

- 572.* **George Jemison and Mr. Undergod.** "To the right Worth S^r Francis Wyatt Knight Gouvernor and Captaine Generall of Virginia. The humble Petion of George Jemison" and M^r. Undergod of the ship "Everett." LC
- IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 60.

OCTOBER 15

- 573.* **Privy Council.** Order dispensing with attendance of Justice Sir William Jones because of his other employments; also ordering commission to appoint certain days for meeting so as to be expeditious. (1) PC. (2) PRO.
- I. Ref: (1) Privy Council Register, James I, Vol. VI, p. 125. (2) Colonial Entry Book, Vol. 79, p. 196.
- Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 52.

574. **Virginia Company.** Answer to an order of the Privy Council of October 8, 1623, begging respite until November 9. (1) PRO. (2) LC. [NY]

III. *Ref:* (1) MS. Court Book, Virginia Co., II, 340. (2) State Papers, Colonial, James I, Vol. II, No. 46.

Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, II, 231-2. (3) Sainsbury, *Calendar of State Papers, Colonial*, p. 52.

Transcript, New York Public Library, Bancroft Papers, Vol. II, fos. 185-187. [Date given Nov. 19.]

OCTOBER 17

575. **Lord President Mandeville.** A letter to Secretary Conway, concerning an alteration in the frame of government. PRO.

VII. *Ref:* State Papers, Domestic, James I, Vol. 153, No. 67.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 53.

576. **Privy Council.** An order to the Virginia Company. Second order in council. Copy.

(1)-(3) LC. (4) PRO [NY]

I. *Ref:* (1) MS. Rec. Virginia Co., III, pt. i, p. 34. (2) MS. Court Book, Virginia Co., II, 341-342. (3) Instructions, Commissions, and Letters, 1606-1683 (Vellum Book), p. 65. (4) Colonial Entry Book, Vol. 79, pp. 197-198.

Pub: (1) Kingsbury, *Rec. Virginia Co.*, post, II. (2) Brock, *Virginia Company*, II, 238. (3) Calendar: *Virginia Mag. of Hist.* VI, 382. (4) Sainsbury, *Calendar of State Papers, Colonial*, pp. 52-53.

Transcript, New York Public Library, Bancroft Papers, Vol. II, fos. 189-191.

OCTOBER 20

577. **Virginia Company.** Answer to an order of the Privy Council of October 17, 1623.

(1) LC. (2) PRO. [NY]

III. *Ref:* (1) MS. Court Book, Virginia Co., II, 342. (2) State Papers, Colonial, James I, Vol. II, No. 47.

Pub: (1) Kingsbury, *Rec. Virginia Co.*, post, II. (2) Brock, *Virginia Company*, II, 234. (3) Sainsbury, *Calendar of State Papers, Colonial*, p. 53.

Transcript, New York Public Library, Bancroft Papers, Vol. II, fo. 201. [Ends with "were of a contrary opinion."]

OCTOBER 20, 24

- 578.* **Privy Council.** Privy Council to the Virginia Company, urging the speedy sending of the ship to Virginia and that the orders should be published in Virginia.

(1), (2) & (4) LC. (3) PRO. (5) PC. (6) MC. [NY]

I. *Ref:* (1) MS. Records Virginia Co., III, pt. i, p. 3a. (2) MS. Court Book, Virginia Co., II, 343. (3) Colonial Entry Book, Vol. 79, pp. 199-200. (4) Instructions, Commissions and Letters, 1606-1683 (vellum book), pp. 66-67. (5) Privy Council Register, James I, Vol. VI, p. 131. (6) Ferrar Papers.

Pub: (1) Kingsbury, *Rec. Virginia Co.*, post, II. (2) Brock, *Virginia Company*, II, 234-235. (3) Sainsbury, *Calendar of State Papers, Colonial*, p. 53.

Transcript, New York Public Library, Bancroft Papers, Vol. II, fos. 193-195. [Oct. 20.]

OCTOBER 20

- 79.* **Schedule** of names of those present at an extraordinary court of the Virginia Company by appointment of Lords, touching the surrender of the charters, distinguishing those who were for from those against. PRO.

III. *Ref:* State Papers, Colonial, James I, Vol. II, No. 48.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 53.

Transcript, New York Public Library, Bancroft Papers, Vol. II, fos. 197-199.

- 580.* **Governor in Virginia.** "A Warrant to Capt. Madison to bring 40 souldiers for y^e March."
IV. Ref: MS. Records Virginia Co., III, pt. ii, pp. 52, 52a. LC.

OCTOBER 22

- 581.* **Robert Byng.** A letter to Nicholas Ferrar, concerning the appointment to a position.
VI. Ref: Ferrar Papers. MC. [LC]
Photographic reproduction and transcript in the Library of Congress.

OCTOBER 24

- 582.* **Privy Council.** Order to John Harvey to investigate the conditions of Virginia—plantations, fortifications, provisions, boats, public works, and relations with the Indians. PC.
I. Ref: Privy Council Register, James I, Vol. VI, p. 137.

Transcript, New York Public Library, Bancroft Papers, Vol. II, fos. 205-207.

- 583.* **Privy Council.** A letter to the Governor and Council in Virginia, instructing Council to assist Commissioners appointed to investigate the Colony. (1) LC. (4) PRO [NY]

- I. Ref: (1) MS. Rec. Virginia Co., III, pt. i, p. 2. (2) Colonial Entry Book, Vol. 79, p. 200. (3) Instructions, commissions, and letters, 1606-1683 (vellum book), p. 62. [18th century copy.] (4) Colonial Entry Book, Vol. 79, p. 200.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 54.

Transcript, New York Public Library, Bancroft Papers, II, fo. 209.

NOVEMBER

- 584.* **Sir Thomas Smythe and others.** A letter to Secretary Conway, concerning Captain Bailly's project. PRO. [NY]

- III. Ref: State Papers, Colonial, James I, Vol. II, No. 51.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 54.

Transcript, New York Public Library, Bancroft Papers, II, fos. 221-223.

1623, NOVEMBER 4 TO 1624, MAY 24

- 585.* **Quo Warranto and Proceedings**, by which the Virginia Company was dissolved.

(1) PRO. (2) MC. [LC]

- I. Ref: (1) Coram Rege Roll, James I, 21 year, Michaelmas Term. Roll No. 1528, membranes, 39-63. (2) Ferrar Papers (writ only).

Photographic reproduction in the Library of Congress.

1623

NOVEMBER 7

- 586.* **Commissioners for Virginia.** Warrant concerning sundry petitions referred to them for examination. They require a trunk of writings locked up under custody of clerks of Privy Council to be delivered to the bearer. PRO.

- I. Ref: State Papers, Colonial, James I, Vol. II, No. 49.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 54.

NOVEMBER 18

- 587.* **Governor in Virginia.** A Commission to the Council of State in the Governor's absence.

- IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 41.

LC.

NOVEMBER 19

588. **Note of shipping, men, and provisions sent and provided for Virginia by the Right Honorable Earl of Southampton and the Company since May, 1623, to this 19th November, 1623.**

- III. Ref: MS. Court Book, Virginia Co., II.

Pub: (1) Kingsbury, *Rec. Virginia Co., post*, II. (2) Brock, *Virginia Company*, II, p. 245. LC.

NOVEMBER 20

- 589.* **Governor in Virginia.** Order to Captain Maddison and other officers to collect sassafras and tobacco. LC.
- IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, pp. 52, 52a.
- 590.* ———. Warrant to Captain Pierse to levy 300 lbs. of tobacco for the fort at Wariscoyack. LC.
- IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 52.
- 591.* ———. Order to Captain Pierse to levy the tax of October, 1623. LC.
- IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, pp. 52, 52a.
- 592.* ———. A warrant for Mr. Benet for his meanes. LC.
- IV. *Ref:* MS. Rec. Virginia Co., III, pp. 53, 53a.

NOVEMBER 21

- 593.* **Privy Council.** Order for delivering the Virginia Company's books and writings to the Virginia Company, against whom a *quo warranto* has been issued, and for keeping inventory of the same. PC. [NY]
- I. *Ref:* Colonial Entry Book, Vol. 79, p. 208.
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 54.
 Transcript, New York Public Library, Bancroft Papers, II, fos. 225-227.
- 594.* **Virginia and Somers Islands Companies.** Petition to the King, that a commission granted on request of Alderman Johnson et al. proceed; that books sequestered 14 days be restored, and that they be preserved in rights. (1) PRO. (2) KP. [NY]
- III. *Ref:* (1) State Papers, Colonial, James I, Vol. II, No. 50. (2) De La Warr's collection of MSS.
Pub: (1) Sainsbury, *Calendar of State Papers, Colonial*, p. 54. (2) Hist. MSS. Com., *Fourth Report*, p. 283.
 Transcript, New York Public Library, Bancroft Papers, II, fos. 245-247.
- 595.* **Governor in Virginia.** "A warrant graunted to Mr. Bolton for his meanes." LC.
- IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, fo. 53.

NOVEMBER 22

- 596.* **Sir Edwin Sandys.** A letter to John Ferrar, concerning personal debts, assuring him that no one will lose by him. MC. [LC]
- VI. *Ref:* Ferrar Papers.

NOVEMBER 27

- 597.* **Governor in Virginia.** A warrant to Captain William Tucker to collect 10 pounds of tobacco for each 1,000 plants at Elizabeth City. LC.
- IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 53.

DECEMBER 6

- 598.* **Council in Virginia.** Order for preparation of list of all who perished in massacre, as per order of the company. LC.
- IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, fo. 53.

DECEMBER 8

- 599.* **Privy Council.** Order touching the costs of a *quo warranto* affecting the charter of the Virginia Company. (1) PC. (2) & (3) PRO. [NY]
- I. *Ref:* (1) Privy Council Register, James I, Vol. VI, p. 188. (2) Colonial Entry Book, Vol. 79, p. 209. (3) Manchester Papers, No. 394.
Pub: (1) Sainsbury, *Calendar of State Papers, Colonial*, p. 55. (2) *Calendar: Hist. MSS. Com., Eighth Report*, pt. 2, p. 47.
 Transcript, New York Public Library, Bancroft Papers, II, fo. 229.

- 600. Privy Council.** Order of December 8, 1623. (1) LC. (2) PC.
 I. *Ref:* (1) Court Book, Virginia Co., II, 361. (2) Colonial Entry Book, Vol. 79, p. 209.
Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, II, 249-250.
 (3) Sainsbury, *Calendar of State Papers, Colonial*, p. 55.
- 601.*** ——— Order directing the attorney-general to report on a petition of Nicholas Ferrar, deputy of Virginia Company, who affirms that commission for examining Virginia Company and Summer Islands Company had not set course for paying debts of the companies, which was referred unto them by board. (1) PC. (2) & (3) PRO.
 I. *Ref:* (1) Privy Council Register, James I, Vol. VI, p. 188. (2) Colonial Entry Book, Vol. 79, pp. 209-210. (3) Manchester Papers, No. 393.
Pub: (1) Sainsbury, *Calendar of State Papers, Colonial*, p. 55. (2) Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 47.
- 602.*** ——— Order directing the attorney-general to report upon a complaint of William Cannyn [Canning] *vs.* Thomas Keightly for arresting him on action of £500. (1) PC. (2) PRO. [NY]
 I. *Ref:* (1) Privy Council Register, James I, Vol. VI, p. 187. (2) Colonial Entry Book, Vol. 79, p. 209.
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 55.
 Transcript, New York Public Library, Bancroft Papers, II, fos. 233-235.
- 603.* Council in Virginia.** Order concerning every 20th man to work on the fort of Wariscoyack.
 IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 53. LC.
- 604.* Mr. Captain Bargrave.** "Mr. Captain Bargrave's Proiect touching Virginea." A copy of a letter to the Lord Treasurer. (1) BM. (2) PRO.
 VI. *Ref:* (1) Additional MSS., 12496, fo. 454. (Caesar Papers.) (2) Manchester papers, No. 402.
Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, pp. 47-48.
- DECEMBER 11 (P)
- 605. Council in Virginia.** Action concerning release of a bond of George Yeardley to Mr. Southern; concerning goods sent home on the "Temperance." LC.
 IV. *Ref:* MS. Court Book of the Colony.
- DECEMBER 19
- 606.* Privy Council.** A letter to the governor and council in Virginia concerning Captain Martin. (1) LC. (2) PRO. (3) PC. [NY]
 I. *Ref:* (1) MS. Rec. Virginia Co., III, pt. ii, p. 70^a. (2) Colonial Entry Book, Vol. 79, p. 210. (3) Privy Council Register, James I, Vol. VI, p. 199.
Pub: (1) *Va. Mag. of Hist.*, VII, pp. 272-273. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 55.
 Transcript, New York Public Library, Bancroft Papers, II, fos. 237-239.
- DECEMBER 26
- 607.* Governor in Virginia.** Letter to "Capt. Wm. Tucker" concerning his expedition. LC.
 IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, fo. 53.
- DECEMBER 30
- 608. Privy Council.** A letter to the deputy governor of the Virginia Company to bring to them unopened all letters arrived in a ship lately from Virginia. (1) LC. (2) MC. (3) PC. (4) PRO. [NY]
 I. *Ref:* (1) Court Book, Virginia Co., II, 358. (2) Ferrar Papers. (3) Privy Council Register, James I, Vol. VI, p. 215. (4) Colonial Entry Book, Vol. 79, p. 210.
Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, II, 246.
 (3) *Va. Mag. of Hist.*, X, 132-134. (4) Sainsbury, *Calendar of State Papers, Colonial*, p. 55.
 Transcript, New York Public Library, Bancroft Papers, II, fo. 241.

DECEMBER 31-JANUARY 9

- 609.* **Council in Virginia.** Proclamation concerning Tucker's collection of tax on tobacco. LC.
IV. Ref: MS. Rec. Virginia Co., London, III, pt. ii, fo. 53.

1623/4

JANUARY 7

610. **Council in Virginia.** Controversy between Thomas Sufram and Clarke and the successors of Capt. William Perse and Capt. William Power concerning an agreement for wages of a voyage in "Furtherance." LC.
IV. Ref: MS. Court Book of the Colony.
611. Brief motives to maintain King's right to River Amazon and coast of Guiana. Note added in another hand to point out prejudice to the plantations should King make agreement with Virginia and Bermudas companies for tobacco from those places only.
VII.
612. **Council in Virginia.** Controversy between George Mynitie for Thomas Hamor and Thomas Gibbs concerning a bargain between them. LC.
IV. Ref: MS. Court Book of the Colony.

JANUARY 8

613. **Attorney-General Coventry.** A letter to the Privy Council concerning the case between William Canning and Thomas Kightley. PRO.
I. Ref: State Papers, Domestic, James I, Vol. 158, No. 12.
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 56.

JANUARY 9

614. **Council in Virginia.** I. Controversy between Daniel Gookin, through Richard Kensan, master of ship "Mary," and Robert Roberts of Bristo, for delivery of commodities.
II. Controversy between John Chew and William Douglas for goods used on the "Margaret." LC.
IV. Ref: MS. Court Book of the Colony.
615. ———. Controversy between Weston and James Carter concerning the transportation of goods.
IV. Ref: MS. Court Book of the Colony. LC.

JANUARY 14

616. **Adventurers and Planters in Virginia and others.** Petition to the Privy Council that those who oppose the surrender of the charter shall bear the expense of the suit. LC.
IV. Ref: MS. Court Book, Virginia Co., II, 362.
Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, II, 250-251.

JANUARY 19

- 617.* **Governor in Virginia.** A Comission to Captain Hamor given aboard the "Willm and John" for trading. LC.
IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 41.

JANUARY 22

- 618.* **Governor in Virginia.** A commission to St George Yeardley for punishing of swearing and drunkenness. LC.
IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 40.

JANUARY 26

- 619.* **Governor in Virginia.** Warrants for holding elections and summoning the general assembly.
IV. Ref: MS. Rec. Virginia Co., III, pt. ii, fo. 53. LC.

JANUARY 30

- 620.* **Council in Virginia.** A letter to the Virginia Company of London, describing revenge on Indians. (1) LC. (2) PRO. [NY]
IV. Ref: (1) MS. Rec. Virginia Co., III, pt. i, pp. 7-8. (2) State Papers, Domestic, James I, Vol. 156, No. 1.
Pub: (1) Calendar: *Virginia, Mag. of Hist.*, VI, 374-377. (2) Sainsbury, *Calendar of State Papers, Colonial*, pp. 56-57.
Transcript: New York Public Library, Bancroft Papers, II, fos. 249-269.

FEBRUARY

- 621.* **General Assembly in Virginia.** The Answer to Capt. Butler's vnmasking of Virginia, by the General Assembly February, 1623. Directed to the King's most Sacred Ma^{ty}. LC.
IV. Ref: MS. Rec. Virginia Co., III, pt. i, pp. 9-11.
Pub: Neill, *Virginia Company of London*, 406-407.
- 622.* **Robert Poole.** Petition "To the Right Worth S^r Francis Wyatt Knight," asking for payments due. LC.
IV. Ref: MS. Rec. Virginia Co., III, pt. ii, fo. 60.

FEBRUARY 4

623. **Virginia Council.** Letter to governor and council in Virginia, concerning the complaints of Capt. John Martin. LC.
III. Ref: (1) MS. Rec. Virginia Co., III, pt. ii, p. 71. (2) MS. Court Book Virginia Co., II, 366.
Pub: Kingsbury, *Records Virginia Co.*, Vol. II.

FEBRUARY 4, 13

- 624.* **John Barnett.** Petition "To the right Worth S^r Francis Wyatt Knight Gouvernor," for sums due from the agent of Mr. Gookin. LC.
IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 60a.

BETWEEN FEBRUARY AND OCTOBER

- 625.* **William Paney.** Petition "To the right Worth S^r Francis Wyatt Knight" for a claim from Captain Nuce. LC.
IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 60a.

FEBRUARY 16

626. [Davison?]. A letter to [J. Ferrar?] giving a list of names of the living and dead in Virginia.
IV. Ref: State Papers, Colonial, James I, Vol. III, No. 2. PRO. [NY]
Pub: (1) Wynne and Gilman, *Colonial Records of Virginia*, 37-60; 61-66. (2) Sainsbury, *Calendar of State Papers, Colonial* p. 57.
Transcript, New York Public Library, Bancroft Papers, II, pp. 277-327. Secretary Davison died before this date.

FEBRUARY 16 (?)

627. **List of 13 letters and papers**, including one book received from and sent to Virginia.
VI. Ref: State Papers, Colonial, James I, Vol. III, No. 3. PRO. [NY]
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 57.
Transcript: New York Public Library, Bancroft Papers, II, pp. 273-275.

FEBRUARY 20

- 628.* **General Assembly in Virginia.** "The answer of the generall Assembly in Virginia to a Declaration of the State of the Colonie in the 12 years of S^r Thomas Smith's Government exhibited by Alderman Johnstone and others." (1) LC. (2) PRO. [NY]

IV. *Ref:* (1) MS. Rec. Virginia Co., III, pt. i; p. 4^a. (2) State Papers, Colonial, James I, Vol. II, No. 20.

Pub: (1) Neill, *Virginia Company of London*, pp. 407-411. (2) Sainsbury *Calendar of State Papers, Colonial*, pp. 39-40.

D. S.

Transcript: New York Public Library, Bancroft Papers, II, pp. 349-361.

FEBRUARY 28

- 629.* **Governor, Council, and Assembly in Virginia.** Letter "To y^e right Hono^{ble} our very good Lor: the Lors: of his Ma^{ties} most Hono^{ble} Privie Counsell," requesting the liberty of their general assemblies and defending the Sandys administration.

(1) LC. (2) PRO. [NY]

IV. *Ref:* (1) MS. Rec. Virginia Co., III, pt. i, p. 5. (2) State Papers, Colonial, James I, Vol. III, No. 4 (vera copia).

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 58.

Transcript: New York Public Library, Bancroft Papers, II, pp. 365-371. [Date Feb. 29.]

MARCH

630. **Ballad concerning the massacre.** "Good News from Virginia." "To the Tune of All those that be good fellowes." Praises the men of the colony. PRO.

Ref: Manchester Papers, No. 324.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. ii, pp. 39, 40.

MARCH

- 631.* **John Haruey.** "To the right Worth S^r Francis Wyatt &c and to the Counsell of Estate." Petition concerning disobedience to his orders. LC.

IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 62^a.

- 632.* ———. "To the right Worth S^r Francis Wyatt Knight &c and to the Counsell of Estate the second complaint and petition of John Haruey Esq^r." LC.

IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 62.

- 633.* **Robert Guyer and John White.** "To the Hono^{ble} S^r Francis Wyatt knight &c and y^e right Worth the Counsell of State. The Answer to y^e Complaint and Petition of Cap^t John Haruey Esquiere." LC.

IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 62.

- 634.* ———. "To the hono^{ble} S^r Francis Wyatt knight &c and the right worth the rest of the Counsell of State. The answer to y^e Second Complaint and petition of Cap^t John Haruey Esq^r." LC.

IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 62^a.

[MARCH] 2

- 635.* **Haruey and others, commissioners of the King.** A letter to Sir Francis Wyatt, governor, and to the assembly. PRO.

I. *Ref:* State Papers, Colonial, James I, Vol. III, No. 6 (second paper).

MARCH 2

- 636.* **Haruey and others.** Form of subscription presented to the general assembly, agreeing to a revocation of the letters patent. PRO. [NY]

I. *Ref:* State Papers, Colonial, James I, Vol. III, No. 6 (third paper).

Transcript: New York Public Library, Bancroft Papers, II, pp. 397-399.

637.* General Assembly in Virginia. A letter to Haruey demanding a commission or an oath as to his authority. PRO.

IV. *Ref:* State Papers, Colonial, James I, Vol. III, No. 6 (fifth paper).

638.* General Assembly in Virginia. "The generall assemblies answere to those fower Propositions made by the commissioners to be presented to the L^{ors}: of his Ma^{ties} most honorable privie counsell." (1) LC. (2) PRO. [NY]

IV. *Ref:* (1) MS. Rec. Virginia Co., III, pt. i, p. 6^a. (2) State Papers, Colonial, James I, Vol. III, No. 7.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 58.

(1) D. S. in Public Record Office. (2) Transcript, New York Public Library, Bancroft Papers, II, pp. 381-389.

639.* Governor, Council, and General Assembly in Virginia. "The Answere of Gou^{nor}, and Counsell and Generall Assembly to the Letter and wrightinge of Captain John Haruey," expressing submissive attitude toward King. (1) LC. (2) PRO.

IV. *Ref:* (1) MS. Rec. Virginia Co., III, pt. i, p. 7^a. (2) State Papers, Colonial, James I, Vol. III, No. 6 (fourth paper).

Document in State Papers, Colonial, in the autograph of Ed. Sharpless, and certified by him.

[MARCH 2]

640. Commissioners in Virginia. "A briefe declaratione to the Assemblie" (by John Harvy, John Porey, Abraham Peirse, and Samuel Mathews.) with a list of four enquiries as to the state of the colony. (1) LC. (2) PRO.

I. *Ref:* (1) MS. Rec. Virginia Co., III, pt. i, p. 6. (2) State Papers, Colonial, James I, Vol. III, No. 6 (first paper).

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 58.

Document in State Papers, Colonial, in autograph of Ed. Sharpless, and certified by him.

MARCH 3.

641. John Haruey and others. A letter to Governor Wyatt and the assembly, answering a demand for authority and acknowledging that they had none to move them to conform to subscription. PRO. [L. C.]

I. *Ref:* (1) MS. Rec. Virginia Co., Vol. III, pt. i, p. 7^a. (2) State Papers, Colonial, James I, Vol. III, No. 6 (sixth paper).

Document in the State Papers, Colonial, in the autograph of Ed. Sharpless. Photograph in the Library of Congress.

MARCH 5

642.* Governor and Council and Assembly in Virginia. Laws and Orders of the Assembly in Virginia, by the Governor, Council and 2 burgesses elected out of every plantation by major parts of voices, February 16, 1623/4. (1) LC. (2) PRO. [NY]

IV. *Ref:* (1) MS. Rec. Virginia Co., III, pt. i, fo. 8. (2) State Papers, Colonial, James I, Vol. III, No. 9.

Pub: (1) Hening, *Statutes*, I, 122f. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 59.

Document in State Paper Office in autograph of Ed. Sharpless. Transcript: New York Public Library, Bancroft Papers, II, fos. 329-345.

643.* Governor, Council, and Assembly in Virginia. Order concerning a levy of tobacco. LC.

IV. *Ref:* MS. Rec. Virginia Co., III, pt. i, p. 9.

MARCH 7

644. Council in Virginia. Action concerning a claim against the company. LC.

IV. *Ref:* MS. Court Book of the Colony.

1623/4 TO MARCH 7, 1624/5

- 645. Court in Virginia.** Transcripts from court records in Virginia, in quarter courts at Jamestown, of points relating to the debts of George Thorpe, by Benjamin Harrison. NY.
 IV. *Ref:* Smyth of Nibley Papers, Smyth, 38.
Pub: Calendar: *N. Y. Pub. Lib. Bull.*, I, 189.

1623/4

MARCH 9

- 646. Council in Virginia.** Court Book of the Council in Virginia, concerning a case between Mr. Horne and Mr. Procter, concerning service. LC.
 IV. *Ref:* MS. Court Book of the Colony.
647.* Henry [Horner]. "To the right Worth S^r Francis Wyatt Knight &c and Counsell of Estate here Assembled," demanding goods due from Procter. LC.
 IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 61.

MARCH 11

- 648. Council in Virginia.** Court Book of the Council in Virginia, concerning degradation of Richard Quaile from captain to carpenter. LC.
 IV. *Ref:* MS. Court Book of the Colony.
649.* Richard Quaile. "The Humble Petition of Richard Quaile to the hono^{ble} the Gouvernor with the right Worth the Assistant in Counsell," requesting to be released. [Examined September 9, 1623.] LC.
 IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 61.

MARCH 12

- 650. Council in Virginia.** Court Book of the Council in Virginia, concerning a controversy between Dr. Pott and Capt. William Holmes for payment of three chests of physic. LC.
 IV. *Ref:* MS. Court Book of the Colony.
651. [Edward Nicholas.] A letter to [John Nicholas] concerning the arrival of ships this week from Virginia and the Somers Islands, certifying the welfare of the people in Virginia still in enmity with the natives. PRO.
 VI. *Ref:* State Papers, Domestic, James I, Vol. 160, No. 70.
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 59.

MARCH 16

- 652.* Governor in Virginia.** A commission to Rawleigh Crashaw to trade with the Indians. LC.
 IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 41.^a

MARCH 23, 24, 25

- 653.* John Haruey.** "To the right worth S^r Francis Wyatt knight &c and to y^e Counsell of Estate the third petition of John Haruey, Esq^r," concerning his admiralty of New England.
 IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 63. LC.
654.* Robert Guyar and John White. "To the right hono^{ble} S^r Francis Wyatt knight &c the right Worth y^e Counsell of State." The Humble Petition against Captain Haruey.
 IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 63. LC.

MARCH 30

- 655.* Jane Dickenson.** "To the hono^r right Worth &c the Gouvernor and Counsell of Estate in Virginia." Petition to be relieved from service. LC.
 IV. *Ref:* MS. Rec. Virginia Co., III, pt. ii, p. 61.

1624

[APRIL ?]

656. [Sir Nathaniel Rich.] Heads of a speech in the House of Commons on a petition presented by the Virginia Company. PRO.

VI. Ref: Manchester Papers, No. 410.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 48.

APRIL 8

657. **Planters in Virginia.** Petition to the King, requesting to be relieved of the impost on tobacco for a time. LC.

IV. Ref: MS. Court Book, Virginia Co., II, 373-374.

Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, II, 257-259.

APRIL 8, 14

658. **Privy Council.** Answers granting the above petition. LC.

Ref: MS. Court Book, Virginia Co., II, 374.

Pub: (1) Kingsbury, *Rec. Virginia Co.*, II. (2) Brock, *Virginia Company*, II, 259.

APRIL 12, 19

- 659.* **John Hall.** "To the right Worlth S^r Francis Wyatt Knight &c" concerning a claim against John Hall. LC.

IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 61.

APRIL 17

- 660.* **Council in Virginia.** Letter "to the right Honor^{bl} Henry Earle of Suthampton with the Lords and others of the Counsell and Compenie of Virginia," concerning acts of the Assembly sent by John Pountis, and the needs of the colony. LC.

IV. Ref: MS. Rec. Virginia Co., III, pt. i, p. 8^a.

[APRIL 22]

661. **Sir Thomas Smythe.** A letter to Secretary Conway entreating him to attend the Grand Commission of Grievances to-morrow in order to help to stop John Bargrave *vs.* Smythe.

VII. Ref: State Papers, Domestic, James I, Vol. 163, No. 28. PRO.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 60.

- 662.* **Capt. John Bargrave.** A letter to the House of Commons on behalf of himself, absent planters in Virginia, and adventurers against Sir Thomas Smythe. PRO.

III. Ref: (1) Manchester Papers, No. 401. (2) State Papers, Colonial, James I, Vol. III, No. 11. (3) State Papers, Domestic, James I, Vol. 163, No. 28.

Pub: (1) Sainsbury, *Calendar of State Papers, Colonial*, p. 60. (2) Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 47.

Document in the Colonial State Papers signed by Bargrave. The date is uncertain.

APRIL 24

- 663.* **John Harvey.** A letter to Sir Nathaniel Rich, sending the reply of the Assembly to Capt. Butler's and Alderman Johnson's accusations. PRO.

IV. Ref: Manchester Papers, No. 400.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. ii, p. 47.

Autograph document.

APRIL 26, 29

664. **House of Commons.** "A petition for Virginia read" in the House of Commons, and also a letter from the King. (1) LC. (2) & (3) HL. (4) PRO.

I. Ref: (1) MS. Court Book, Virginia Co., II, 377-379. (2) House of Lords, Supplementary Calendar, C. J., II, 691, 694. (3) Journals of Commons, I. (4) State Papers, Colonial, James I, Vol. III, No. 12.

Pub: (1) LeFroy, *Memorials of the Bermudas*, I, 336. (2) Calendar: Hist. MSS. Com., *Fourth Report*, pt. 1, p. 122. (3) Brock, *Virginia Company*, II, 263-266. (4) Kingsbury, *Rec. Virginia Co.*, II.

APRIL 28

665.* **James I.** A letter to the Speaker of the House of Commons not to trouble with the petition, as it would renew the factions of the company, which were in settlement by the King.

I. Ref: State Papers, Domestic, James I, Vol. 163, No. 71. PRO.

Pub: (1) LeFroy, *Memorials of the Bermudas*, I, 336-337. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 60.

666.* **George Meneffe.** A letter to John Harrison, telling of the death of his brother George, of his will, and of an inventory of his estate, and asking for instructions. PRO. [NY]

VI. Ref: State Papers, Colonial, James I, Vol. III, No. 15.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 61.

Transcript: New York Public Library, Bancroft Papers, II, 473-475.

APRIL 29

667. **Sir Isaac Wake.** A letter to Secretary Conway, telling that King's letter was received with universal applause and had quieted the great schism caused by the Virginians. PRO.

VII. Ref: Savoy Correspondence, 1624, April 29.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 60.

APRIL 30

668. **John Chamberlain.** A letter to Sir Dudley Carleton concerning the King's letter to Lower House yesterday touching Virginia, and reserving the matter likely to have bred dissension. PRO.

VII. Ref: State Papers, Domestic, James I, Vol. 163, No. 74.

Pub: (1) LeFroy, *Memorials of the Bermudas*, I, 337. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 61.

MAY

669.* **[Nicholas Ferrar.]** A rough draft and a copy of a petition to the Commons concerning the loss to England by allowing the importation of tobacco from Spain. MC. [LC]

VI. Ref: Ferrar Papers.

Rough draft in Nicholas Ferrar's autograph and a copy in Ed. Collingwood's writing.

MAY 4

670. **House of Lords.** Matters brought from the House of Commons, but no further proceedings.

I. Ref: Lords Journal, III, 340.

Pub: Calendar: Hist. MSS. Com., *Fourth Report*, p. 123.

HL.

MAY 5

671.* **Richard Barnes.** "To the hon^{ble} S^r Francis Wyatt Knight Governor and Capt. generall of Virginia The Humble Petition" requesting a reinvestigation of censure. LC.

IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 61^a.

MAY 6

672. **Sir Francis Nethersole.** A letter to Sir Dudley Carleton, concerning the discussion of Virginia affairs in the House of Commons. PRO.
 VII. Ref: State Papers, Domestic, James I, Vol. 164, No. 46.
 Pub: (1) Calendar: *Virginia Mag. of Hist.*, VI, 382-384. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 62.

MAY 10

673. **Council in Virginia.** Action concerning the charge against Edward Sharples, clerk to the council of state, of betraying counsels . . . to the King and Lords of the Privy Council and some of the commissioners for reward. LC.
 IV. Ref: MS. Court Book of the Colony.
 674. ———. Action concerning the censure of Richard Barnes for speaking ill of the governor. LC.
 IV. Ref: MS. Court Book of the Colony.

MAY 12

- 675.* **Council in Virginia.** Letter "to the Right Honoble Henry Earle of Suthampton wth the Lo: and others of the Counsell and Compenie of Virginia." Complaint concerning Mr. Pory. LC.
 IV. Ref: MS. Rec. Virginia Co., III, pt. i, p. 9.

MAY 20

- 676.* **Robert Heath.** A letter to Sir Robert Harley requesting him to take opinion on a bill proposed in Parliament on the importation of Spanish tobacco. PRO.
 VII. Ref: State Papers, Domestic, Vol. CLXV, No. 5.
 Pub: *Calendar of State Papers, Domestic*. James I, 1623-1625, p. 250.

MAY 28

- 677.* **Sir Robert Heath.** "Severall greivances presented to King James by S^r Robert Heath (then Sollicitor geñiall) vpon Friday the 28th of May in the name of the Lower House of Parliament in the Banquetting House at Whitehall 1624—concerning Trade" and tobacco. BM.
 VII. Ref: Harleian MSS., 2244, fo. 15.

MAY 30

- 678.* **Ralph Hamour.** "To the hono^{ble} S^r Francis Wyatt knight &c and the rest of Counsell of Estate in Virginia. The Humble Petition" concerning the destruction of his patent in the massacre. LC.
 IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 61.

JUNE (P)

679. **Henry, Earl of Southampton,** and certain other Lords appointed a Council for Virginia.
 I. Ref: Minutes, Colonial Correspondence, 1609, p. 1. PRO.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 63.
 680. [Nathaniel Rich(?).] An act concerning tobacco. [Proposed bill by Parliament.] PRO.
 VI. Ref: Manchester Papers, No. 406.
 681. **Rough** draft of a suggestion for preemption of tobacco, and prohibition of planters in England, Ireland, and Wales, and importation of any except from Virginia and Summer Islands.
 VI. Ref: Manchester Papers, Nos. 365, 404, 407. PRO.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, pp. 45, 48.
 682. **House of Commons.** Petition to the King for exclusion of all tobacco not grown in his Majesty's Dominion. PRO.
 I. Ref: Manchester Papers, No. 405.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 48.

JUNE 14

683.* Secretary Conway. A letter to Sir Thomas Merry stating that the King desired letters and papers relating to affairs of Virginia in possession of his late cousin, employed in that business, to be preserved, and any other papers on the business. PRO.

- I. Ref: State Papers, Domestic, James I, Vol. 167, No. 60.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 62.

JUNE 15 (?)

684.* Governor Sir Francis Wyatt, Council, and Assembly in Virginia. Petition to the King, expressing fear that the petition sent by John Pountis was not delivered and complaining of the desperate state of the colony. PRO.

- IV. Ref: State Papers, Colonial, James I, Vol. III, No. 42.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 74.

D. S. Transcript: New York Public Library, Bancroft, II, 585-590.

JUNE 22

685.* Petition concerning Virginia intended for delivery to the King, claiming a desire for revision of affairs only. PRO.

- VI. Ref: Manchester Papers, No. 403.
 Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 48.

JUNE 24

686.* Assembly in Virginia. Law against unlawful implied contracts of marriage.

- IV. Ref: MS. Rec. Virginia Co., III, pt. ii, p. 49. LC.

687.* Privy Council Order appointing Lord President Mandeville, Lord Paget, Lord Chichester, and others, Commissioners to resolve on the well settling of the colony, to give order therefore, to certify proceedings to the King, and to receive further directions. King determined to give new charter. (1) PC. (2) PRO. [NY]

- I. Ref: (1) Colonial Entry Book, Vol. 79, p. 210. (2) Privy Council Register, James I, Vol. VI, p. 342.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 62.

Transcript: New York Public Library, Bancroft Papers, II, 477-479.

JUNE 26

688.* Commissioners and Adventurers of Virginia Company. Petition to Privy Council that Captain John Bargrave's protection be not renewed till course be taken for the payment of £800 bond for debt of £500. PRO. [NY]

- III. Ref: State Papers, Colonial, James I, Vol. III, No. 16.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 62.

Transcript, New York Public Library, Bancroft Papers, II, 485-487.

689.* Privy Council. Order for Mr. Ferrar, Deputy, to bring to the Council Chamber all patents, books of account, and invoices of the late corporation and lists of people in the Colony, to be retained by the Keeper of the Council Chest till further order.

(1) PC. (2) PRO. [NY]

- I. Ref: (1) Privy Council Register, James I, Vol. VI, p. 344. (2) Colonial Entry Book, Vol. 79, p. 277.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 62.

Transcript, New York Public Library, Bancroft Papers, II, 481.

690.* ——— Order to the Commissioners for the Virginia business concerning the stock, etc., of the Virginia Company. PC.

- I. Ref: Privy Council Register, James I, Vol. VI, p. 345.

JULY (F)

- 691.* **Reasons** alleged on behalf of King's Farmers of the custom and impost on tobacco, for redress of grievances. PRO. [NY]
 VI. Ref: State Papers, Colonial, James I, Vol. III, No. 22.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, pp. 68-69.
 Transcript, New York Public Library, Bancroft Papers, II, 573-583.
- 692.* **Brief** answer to a proposition touching tobacco lately delivered by the King's Farmers of Customs. PRO.
 VI. Ref: State Papers, Colonial, James I, Vol. III, No. 23.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 69.
- 693.* **Request** to [Privy Council ?] that as King is concluding a contract with divers persons for his own use, orders should be given to the Governor in Virginia not to suffer trade with the Hollanders who are now freighting ships for that purpose, since their produce is not needed there. PRO.
 VI. Ref: State Papers, Domestic, James I, Vol. 169, No. 7.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 63.
- 694.* **"A Briefe Declaration** of the plantation of Virginia during the first twelve years when S^r Thomas Smyth was Governor of the Companie [1606-1619] and downe to the present tyme [1624] by the Ancient Planters now remaining alive in Virginia."
 III. Ref: State Papers, Colonial, James I, Vol. III, p. 21. PRO. [NY]
 Pub: (1) Wynne and Gilman, *Colonial Records of Virginia* (State Senate Document, Extra, 1874). (2) Brown, *First Republic*, 572-574. (3) Sainsbury, *Calendar of State Papers, Colonial*, pp. 66-68.
 Transcript, New York Public Library, Bancroft Papers, I, fos. 529-609.
695. [**Solicitor-General Heath.**] Statement as to a contract ordered by King on July 2/24 as to tobacco. PRO.
 I. Ref: State Papers, Domestic, James I, Vol. 169, No. 6.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 63.

JULY 2

- 696.* **James I.** A letter to Solicitor-General Heath, concerning a petition of House of Commons against the importation of foreign tobacco, and a petition of planters and adventurers for a reasonable price. PRO.
 I. Ref: State Papers, Domestic, James I, Vol. 169, No. 5.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 63.

JULY 3

697. **Nethersole.** A letter to Sir Dudley Carleton, concerning the overthrow of the Virginia patent by the *quo warranto*. PRO.
 VII. Ref: State Papers, Domestic, James I, Vol. 169, No. 14.
 Pub: (1) *Calendar: Virginia Mag. of Hist.*, VII, 39. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 63.
- 698.* **Governor, Council, and Colony in Virginia.** To the Kings moste Excelent Ma^{tie}. "The Humble Petitione of the Gou'nor Counsell and Colony of Virginia in theire generall Assemblée," praying for a continuation of the present government. (1) LC. (2) PRO.
 IV. Ref: (1) MS. Records, Virginia Co., III, pt. i, p. 5^a. (2) State Papers, Colonial, James I, Vol. III, No. 21.
 Pub: (1) *Calendar: Virginia Mag. of Hist.*, VII, 45. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 65.
 D. S. in the State Papers, Colonial.
 Date uncertain.

JULY 12

- 699.* **David Sandis.** "To the Hon^{ble} the Governor wth the rest the worth Counsellors of Estate." Petition for justice because of defamations by one, Alnut. LC.
 IV. Ref: MS. Records, Virginia Co., III, pt. ii, p. 61^a.
700. **Council in Virginia.** Order that persons remaining at home shall give day's work in place of those on the march; ordering a commission to be granted to council at home for dispatch of business until governor's return; also concerning fining Thomas Alnet for defamation of character of Minister Sandis. LC.
 IV. Ref: MS. Court Book of the Colony.

JULY 15

- 701.* **James I.** Commission to certain of the Lords of the Privy Council and others for settling a government in Virginia. (1) BM. (2) PRO.
 I. Ref: (1) Additional MSS., 12496, fos. 464-473. (Caesar Papers.) (2) Patent Roll, 22 James I, pt. 1, No. 4; Chancery Privy Seal, 22 James I, July, 1624.
 Pub: (1) Hazard, *Historical Collection*, I, 183. (2) Rymer, *Foedera*, XVII, 609-613.
- 702.* **Commissioners for Virginia.** Orders set down at a meeting, July 16, 1624, appointing H. Fotherby to be in charge of charters, seals, and writings of the company, and providing for an investigation of the colony. PRO. [LC]
 I. Ref: State Papers, Colonial, James I, Vol. III, No. 17, I.
 Pub: (1) Calendar: *Virginia Mag. of Hist.*, VII, 44-45. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 64.
 Transcript: Library of Congress, Bancroft Papers, II, 489-495.

JULY (16)

703. **Lord President Mandeville.** A letter to Secretary Conway, giving a brief of the proceedings of the Commissioners for Virginia, with regard to the free importation of tobacco.
 VII. Ref: State Papers, Colonial, James I, Vol. III, No. 17. PRO. [NY]
 Pub: (1) Calendar: *Virginia Mag. of Hist.*, VII, 43-44. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 64.
 Transcript: New York Public Library, Bancroft Papers, II, 513-515.

JULY 18

- 704.* **Privy Council.** An order for the allowance of £150 to [John] Pory, employed in Virginia about His Majesty's especial business. (1) PC. (2) PRO.
 I. Ref: (1) Privy Council Register, James I, Vol. VI, p. 376. (2) Colonial Entry Book, Vol. 79, p. 277.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 64.

JULY 19

705. **Secretary Conway.** A letter to Lord President Mandeville, stating that the King approves the proceedings in the Virginia business, and that the restraint as to tobacco is to be considered. PRO.
 VII. Ref: Minute. Conway's Letter Book, 136.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 64.
706. ———. A letter to Lord Coventry, concerning putting Mr. Bing in the Commission for Virginia, if there is no cause to the contrary. PRO.
 VII. Ref: Minute. Conway's Letter Book, 137.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 64.

JULY 20

- 707.* **Warrant** to pay John Pory £150 in payment of expenditure of £100, and for services in Virginia on King's business. PRO.

I. Ref: Sign Manual, James I, Vol. 16, No. 50.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 65.

JULY 25

708. **Lord Coventry**. A letter to Secretary Conway, stating why Mr. Bing was willingly forgotten from the Commission for Virginia. PRO. [NY]

VII. Ref: State Papers, Colonial, James I, Vol. III, No. 18.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 65.
 Transcript: New York Public Library, Bancroft Papers, II, 501-503.

JULY 26

709. **Secretary Conway**. A letter to Lord President Mandeville, concerning John Bargrave.

VII. Ref: State Papers, Domestic, James I, Vol. 170, No. 65. PRO. [NY]
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 65.

JULY 31

710. **Solicitor-General Heath**. A letter to Secretary Conway, stating that the Commission deems it best that the commission from the King be sent to the principal men in Virginia for the present government of the Colony. PRO. [NY]

VII. Ref: State Papers, Colonial, James I, Vol. III, No. 19.
 Pub: (1) Calendar: *Virginia Mag. of Hist.*, VII, 45. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 65.

Transcript: New York Public Library, Bancroft Papers, II, 506-507.

711. **Sir Thomas Smythe**. A letter to Secretary Conway, stating that the Virginia Company hoped that John Bargrave would pay £500 due before his protection was renewed, and enclosing a petition to the King. PRO. [NY]

VII. Ref: State Papers, Colonial, James I, Vol. III, No. 20.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 65.

A. S. Transcript: New York Public Library, Bancroft Papers, II, 509, 511.

AUGUST 2

712. **Solicitor-General Heath**. A letter to the Duke of Buckingham, entreating his assistance in settling the contract for Virginia tobacco. PRO.

VII. Ref: State Papers, Domestic, James I, Vol. 171, No. 7.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 69.

AUGUST 5

713. **Sir Thomas Smythe**. A letter to Lord President Mandeville, requesting him to hinder or defer Captain Bargrave's protection, as he hopes to procure a countermand from the King. PRO. [NY]

VII. Ref: State Papers, Colonial, James I, Vol. III, No. 24.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 69.

A. S. Transcript: New York Public Library, Bancroft Papers, II, 517-519.

AUGUST 9

714. **Robert, Earl of Warwick.** A letter to Secretary Conway, sending Mr. Pory with the commission [for Virginia], to desire him to put out Mr. Pott's name, who was a poisoner of savages there and hence unfit for State business; and asking him to remind the King to write Mr. Attorney to put Mr. Bing on the Commission according to promise.

VII. *Ref:* State Papers, Colonial, James I, Vol. III, No. 25. PRO. [NY]
Pub: (1) Calendar: *Virginia Mag. of Hist.*, VII, 51. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 69.

Transcript: New York Public Library, Bancroft Papers, II, 521.

AUGUST 13

715. **Secretary Conway.** A letter to Attorney-General Coventry, concerning conferring with Sir Thos. Smythe and the Earl of Warwick about putting Mr. Bing on the Commission.

VII *Ref:* Minute, Conway's Letter Book. PRO.
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 69.

716. — A letter to Solicitor-General Heath concerning the returns of the Commission for a Council in Virginia. PRO

VII. *Ref:* State Papers, Domestic, James I, Vol. 171, No. 47.
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 69.

AUGUST 16

717. **John Harrison.** Power of attorney from John Harrison, of London, to John Carter, master of "Anne." PRO. [NY]

VI. *Ref:* State Papers, Colonial, James I, Vol. III, Nos. 26, 27.
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 69.

Transcript: New York Public Library, Bancroft Papers, II, 525-529.

718. **Council in Virginia.** Court Book of the Council in Virginia concerning the complaint of Ensign John Ulie (?) against Tyler for slander. LC.

IV. *Ref:* MS. Court Book of the Colony.

AUGUST 23

719. **Council in Virginia.** Court Book of the Council in Virginia concerning the sentence of William Tyler for slander. LC.

IV. *Ref:* MS. Court Book of the Colony.

AUGUST 26

720. **James I.** Commission to Sir Francis Wyatt as governor and to the Council in Virginia.

PRO.

I. *Ref:* (1) Patent Roll, 22 James I, pt. 17, No. 2. (2) Chancery Privy Seal, 22 James I, August.
Pub: (1) Hazard, *Historical Collection of State Papers*, I, 189-192. (2) Rymer, *Foedera*, XVIII, 618.

SEPTEMBER 5, 13

721. **Council in Virginia.** Court Book of the Council in Virginia: list of persons coming to James City, Virginia, in the "Bonny Bess," who took the oath of supremacy.

IV. *Ref:* MS. Court Book of the Colony. LC.

SEPTEMBER 18 OR 15 (?)

722. **James I.** Commission as governor to Sir George Yeardley in the absence of Sir Francis Wyatt. (1) PRO. (2) LC.

I. *Ref:* (1) Docquet Book, Domestic, James I. (2) Misc. Records, 1606-1692. (Bland Copy), 122-125.
Pub: (1) Hazard, *Historical Collection*, I, 235. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 69.

SEPTEMBER 26

723. **Council in Virginia.** Court Book of the Council in Virginia concerning the fining several offenders, 20 nobles, toward the repair of the church, for drinking. LC.
IV. Ref: MS. Court Book of the Colony.

SEPTEMBER 28

724. **Privy Council.** An order for an exact account of John Puntis's property to be sent to Thos. Merry (1) PC. (2) PRO. [NY]
I. Ref: Privy Council Register, James I, Vol. VI, p. 449.
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 70.
Transcript: New York Public Library, Bancroft Papers, II, 533-535.

SEPTEMBER 29

725. **James I.** Proclamation restraining the importation of tobacco except from Virginia and the Summer Islands. Printed. JCB.
I. Pub: (1) Hazard, *Historical Collection*, I, 193-198. (2) Rymer, *Foedera*, XVII, 621.

OCTOBER

726. **Capt. John Bargrave.** A letter to ———, concerning a remodelled project, the only safe and profitable way to plant Virginia. PRO.
VI. Ref: State Papers, Domestic, James I, Vol. 173, Nos. 120, 121.
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 70.

OCTOBER 4

727. **Council in Virginia.** Court Book of the Council in Virginia concerning Sybill Royall's will. LC.
IV. Ref: MS. Court Book of the Colony.

OCTOBER 10

728. **Council in Virginia.** Court Book of the Council in Virginia concerning: I. Accusations against Captain John Martin for slanderous sayings. II. Claim that Company had right to appoint ministers. III. Difference as to division of parishes, payment of workman's wages for church. IV. Complaints of Elizabeth Abbot's servant—having been beaten by Mr. Procter, her master. LC.
IV. Ref: MS. Court Book of the Colony.

OCTOBER 18

729. [**Privy Council.**] Warrant to prepare a bill for Edward Dichfield and five others on the recommendation of Virginia Commission, appointing them officers for searching and sealing tobacco. PRO.
I. Ref: State Papers, Domestic, James I, Vol. 173, No. 55.
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 71.

OCTOBER 19

730. **Council in Virginia.** Court Book of the council in Virginia, granting several leases to persons on governor's and college land for a term of five years from date. LC.
IV. Ref: MS. Court Book of the Colony.

OCTOBER 22

731. **Privy Council.** Warrant to Lord Carew, Master of Ordinance, to deliver to the Virginia Commissioner one last of powder. (1) PC. (2) PRO.
I. Ref: (1) Privy Council Register, James I, Vol. VI, p. 474. (2) Colonial Entry Book, Vol. 79, p. 278.
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 70.

OCTOBER 25

- 732. Council in Virginia.** Court Book of the council in Virginia, concerning the complaint of Capt. John Martyn against the master of ship for nine weeks' detention in New England. LC.

IV. Ref: MS. Court Book of the Colony.

OCTOBER 28

- 733.** "Att the same tyme there was a newe offer made by dyuers honest Men for the good of the Plantation and presented to Mr. Soliciter the :28th of October 1624." BM. [LC]

VI. Ref: Additional MSS., 12496, fo. 447. (Caesar Papers.)

[NOVEMBER]

- 734. [Sir Nathaniel Rich.]** Rough notes in criticism of Captain John Bargrave's proposition.

VI. Ref: Manchester Papers, No. 409.

PRO.

Pub: Calendar: Hist. MSS. Com., *Eighth Report*, pt. 2, p. 48.

NOVEMBER 1

- 735.* Meeting** of the adventurers of Martin's Hundred, concerning the land for the East India School. MC.

VI. Ref: Ferrar Papers.

- 736. Council in Virginia.** Action concerning a will, a complaint, and use of arms by the Indians. LC.

IV. Ref: MS. Court Book of the Colony.

NOVEMBER 9

- 737. The King.** "Proclamation of a concession to Edward Dichfield and others" concerning tobacco.

I. Pub: (1) Hazard, *Historical Collection*, I, 198-202. (2) Rymer, *Foedera*, XVII, 633.

NOVEMBER 16

- 738. Sirs Thomas Smythe and others.** Sirs Thomas Smythe and others, of the council for Virginia, to the Earl of Warwick. PRO. [NY]

III. Ref: State Papers, Colonial, James I, Vol. III, No. 28.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 70.

Transcript: New York Public Library, Bancroft Papers, II, 541-543.

NOVEMBER 17

- 739. Privy Council.** A letter to Commissioners for Virginia, to investigate the claims of Lady Wyatt on behalf of her late husband *vs.* the Virginia Company. PC.

I. Ref: Privy Council Register, James I, Vol. VI, p. 496.

NOVEMBER 18

- 740. [Secretary Conway.]** A letter to Solicitor General Heath, stating that the King desires him to prepare grant of denization to Beaumont. PRO.

VII. Ref: State Papers, Domestic, James I, Vol. 164, No. 85.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 70.

NOVEMBER 23, 25

- 741. Council in Virginia.** Court Book of the Council in Virginia concerning: I. Oath in regard to Captain John Martyn; II. Petition of Alice Boyle, concerning slander of herself by Johane Wilson. LC.

IV. Ref: MS. Court Book of the Colony.

NOVEMBER 28

742. **James I.** A letter to the Commission and Company of Virginia, recommending James Stuart for fit employment. PRO. [NY]

I. Ref: State Papers, Colonial, James I, Vol. III, No. 29.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 70.
 Transcript: New York Public Library, Bancroft Papers, II, 545.

DECEMBER 2

- 743.* **Council in Virginia.** Letter "To the right Honobll Henry Earle of Suthampton, with the Lordes and others of the counsell & compeny of Virginia," concerning the victory over the Indians. (1) LC. (2) PRO.

IV. Ref: (1) MS. Rec. Virginia Co., III, pt. i, p. 11a. (2) State Papers, Colonial, James I, Vol. III, No. 30.
 Pub: (1) *Calendar: Virginia Mag. of Hist.*, VII, 130-131. (2) Sainsbury, *Calendar of State Papers, Colonial*, pp. 70-71.
 D. S.

DECEMBER 13

744. **Commissioners for Virginia.** A letter to the King, concerning tobacco. PRO.

I. Ref: State Papers, Colonial, James I, Vol. III, No. 31.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 71.
 D. S. and with seal. 1624 (?).

1624 (?)

DECEMBER 22

745. **Colonists in Virginia.** A letter concerning the intolerable rates for commodities.

IV. Pub: *Purchas, His. Pilgrimes*.

1624

DECEMBER 27

- 746.* **Council in Virginia.** Orders on the demands of Captain Martin. PRO. [NY]

IV. Ref: State Papers, Colonial, James I, Vol. III, No. 36, II.
 Pub: *Virginia Mag. of Hist.*, VII, 145-146.

Transcript: New York Public Library, Bancroft Papers, II, 565-571. Series attested by Secretary Southerne.

DECEMBER 31

747. **Grant to Beaumont** of denization, confirming lands and liberty in Virginia as granted by the Commission for Virginia. PRO.

I. Ref: Docquet Book, Domestic, James I.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 71.

1625

748. **"Considerations Touching the New Contract for Tobacco.** As the same Hath beene propounded by Maister Ditchfield, and other vndertakers." Printed. (1) BM. (2) PRO.

VI. Ref: (1) Additional MSS., 12496, fos. 440-446 (Caesar Papers). (2) State Papers, Colonial, James I, Vol. III, No. 32.
 Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 71.

1624/5

JANUARY 7

749. **Solicitor-General Heath.** Motion for release of "Elizabeth of London," Richard Page, Master, bound to Virginia. PRO.
- VII. *Ref:* State Papers, Colonial, James I, Vol. III, No. 33.
Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 71.

JANUARY 10

750. **Sir Francis Wyatt, Governor, and Council in Virginia.** A letter to the Earl of Southampton and the Company of Virginia. PRO. [NY]
- IV. *Ref:* State Papers, Colonial, James I, Vol. III, No. 34.
Pub: Sainsbury, *Calendar of State Papers, Colonial*, pp. 71-72.
 (1) Transcript: New York Public Library, Bancroft Papers, III, 141-143.
 (2) D. S. with a seal.

BETWEEN JANUARY 20 AND FEBRUARY 7

- 751.* **Census of 1624.** (1) PRO. [LC] [NY]
- IV. *Ref:* State Papers, Colonial, James I, Vol. III, No. 35.
Pub: (1) Neill, in *New England Hist. and Geneal. Register*, Vol. 31, pp. 147, 265, 393.
 (2) Brown, *First Republic*, 611-627. (3) Summary: *Virginia Mag. of Hist.*, VII, 364-367.
 (1) Transcript: New York Public Library, Bancroft Papers, II, 601-617.
 (2) Document in State Papers, Colonial, in the autograph of Ed. Sharpless.

FEBRUARY

- 752.* **John Harvey.** "A Briefe Declaration of the state of Virginia at my cominge from thence in February 1624." [NY]
- IV. *Pub:* Mass. Hist. Soc. Collections, fourth series, IX, 60-73.
 Transcript: New York Public Library, Barlow Papers, Virginia, I, No. 27.

FEBRUARY 4

- 753.* **Sir George Yeardley.** Answer of defendant to the demand of Capt. John Martin, requiring recompense for wrongs done, and touching his right to cattle left in charge of Lieut. Edmund Saunders. PRO. [NY]
- IV. *Ref:* State Papers, Colonial, James I, Vol. III, No. 36.
Pub: (1) *Virginia Mag. of Hist.*, VII, 136-144. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 72.
 (1) Transcript: New York Public Library, Bancroft Papers, III, 145-147.
 (2) Autograph of Edward Sharpless, attested by John Southerne.

- 754.* **Examination of witnesses concerning the demands of Capt. John Martin.** PRO.
- IV. *Ref:* State Papers, Colonial, James I, Vol. III, No. 36.
 Attested by Southerne.

- 755.* **Council in Virginia.** Letter from council in Virginia to the Virginia Company of London concerning Capt. John Martin. (1) LC. (2) PRO. [NY]

- IV. *Ref:* (1) MS. Rec. Virginia Co., III, pt. ii, p. 12. (2) State Papers, Colonial, James I, Vol. III, No. 36.
Pub: (1) *Calendar: Virginia Mag. of Hist.*, VII, 131-132. (2) Sainsbury *Calendar of State Papers, Colonial*, p. 72.
 (1) Transcript: New York Public Library, Bancroft Papers, II, 549-555. (2) Photograph in the Library of Congress.

MARCH 2

756. **James I.** Proclamation for the utter prohibition of the importation and use of all tobacco, which is not of the proper growth of the colonies of Virginia and the Sommer Islands or one of them. BM.

- I. Ref: Additional MSS., 12496, fo. 461. (Caesar Papers.)
 Pub: (1) Hazard, *Historical Collection*, I, 224-230. (2) Rymer, *Foedera*, XVII, 668-672.

1625/6

MARCH 4

757. **Privy Council.** Commission to George Yeardley to exercise government as fully as any governor in the past five years. PRO.

- I. Ref: Colonial Entry Book, Vol. 79, pp. 248-256.
 Pub: (1) Hazard, *Historical Collection*, I, 230-234. (2) Rymer, *Foedera*, XVIII, 311.
 (3) Sainsbury, *Calendar of State Papers, Colonial*, p. 77.

1625

APRIL (P)

- 758.* **Virginia Company.** "Discourse of the Old Company." Answer to the Privy Council, requesting a new patent with the old privileges and liberties, and reviewing the history since 1606. PRO. [N Y]

- III. Ref: State Papers, Colonial, James I, Vol. III, No. 40.
 Pub: (1) *Virginia Mag. of Hist.*, I, 155-167; 287-309. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 73.

Transcript New York Public Library, Bancroft Papers, III, 1-133.

MAY

- 759.* "Extracte of all y^e titles & estates of land" sent home by Sr Francis Wyatt (when he returned for England) vnto the L^r of his Priuy Councell according vnto their Order in their letter dated at Salsbury. W. Claibourne." (1) & (2) LC

- IV. Ref: (1) MS. Rec. Virginia Co., III, pt. ii, pp. 71-75. (2) Virginia Records, 1606-1692, pp. 84-91.

MAY 13

760. **Charles I.** A proclamation settling the plantation of Virginia. PRO.

- I. Ref: Proclamation, Charles I, No. 10.
 Pub: (1) Hazard, *Historical Collection*, I, 203-205. (2) Rymer, *Foedera*, XVIII, 72.

JUNE 15

- 761.* **Council in Virginia.** Letter to the "Right Honorble the Lord of his Ma^{ties} moste Honorble Priuy Councell," concerning property of John Pountis, punishment of Edward Sharples, and the sole importation of tobacco. (1) LC. (2) PRO.

- IV. Ref: (1) MS. Rec. Virginia Co., III, pt. 1, pp. 14, 14^a. (2) State Papers, Colonial, James I, Vol. III, No. 41.
 Pub: (1) *Calendar: Virginia Mag. of Hist.*, VII, 134-136. (2) Sainsbury, *Calendar of State Papers, Colonial*, p. 74.

- 762.* ———. Letter to "the right Honobll, the Lords and other his Ma^{ties} Commissioners for y^e affayers of Virginia," concerning the establishment of a new government and the condition of the Colony, defending it from evil reports. LC.

- IV. Ref: MS. Rec. Virginia Co., III, pt. i, pp. 12-13a.

1625/6

JANUARY 4

763.* **Governor and Council in Virginia.** Letter to the Royal Commissioners for the affairs of Virginia. (1) LC. (2) PRO.

IV. *Ref:* (1) MS. Rec. Virginia Co., III, pt. ii, pp. 68, 69. (2) State Papers, Colonial, James I, Vol. IV, No. 1.

Pub: Sainsbury, *Calendar of State Papers, Colonial*, p. 77.

1626

APRIL 6

764.* **Governor and Council in Virginia.** Letter to "the right Honor^{ble} the Lo^{ds} of his Ma^{ties} most Honorabl^e Priuy Counsell." LC.

IV. *Ref:* (1) MS. Rec. Virginia Co., III, pt. ii, pp. 69-70. (2) State Papers, Colonial, James I, Vol. IV, No. 9.

Pub: (1) Massachusetts Historical Society Collection, fourth series, IX, 74-81.

(2) Sainsbury, *Calendar of State Papers, Colonial*, p. 79.
D. S.

Addenda et Corrigenda

39. Omit: "*Pub: Va. Mag. of Hist.*, IV, 28-29."
- 40^a. Add, following No. 40 under date of June 9:
Governor Argall. A letter.
IV. *Ref:* (1) Misc. Papers, 1606-1683, quarto. (Abstract only.) (2) MS. Coll. Va. Hist. Soc., John Randolph MSS., III.
Pub: Va. Mag. of Hist., IV, 28.
- 43-48, 50-52, 55-57. *Ref:* Change to: See under No. 39.
64. Change note to: See No. 39, Remarks.
65. *Ref:* Omit: "(Abstract only)". Add: (2) MS. Coll. Va. Hist. Soc., John Randolph MSS., III.
Pub: Add: *Va. Mag. of Hist.*, IV, 29.
Change note to: See No. 39, Remarks.
- 67, 74, 75. Change note to: See No. 39, Remarks.
78. *Ref:* Change to: See under No. 71.
Pub: Change to: See under No. 71.
- 108^a. Add, following No. 108 under date of May 25:
James I. Proclamation concerning tobacco.
Pub: Referred to only in Rymer, *Foedera*, 17, 191.
- 137^a. Add, following No. 137 under date of November 10:
James I. Proclamation concerning tobacco.
Pub: Referred to only in Rymer, *Foedera*, 17, 191.
167. *Ref:* Change to: (1) Privy Council Register, James I, Vol. IV, p. 471.
- 167^a. Add, following No. 167 under date of April 7:
James I. Proclamation concerning the garbling of tobacco.
Pub: Rymer, *Foedera*, 17, 191.
184. *Pub:* Add, Rymer, *Foedera*, 17, 233.
511. Change to: For the petition formulated, see *ante* No. 481.

Table of Explanations

~ over a word indicates a contraction or an omission of letters.

* * * * * indicate an unintelligible word or part of a word in the manuscript, there being approximately as many asterisks as letters in the word.

[] inclose words or letters which are doubtful in the manuscript; also, in a few instances, inclose words or letters reduplicated in the manuscript.

[.] inclosing words in italics indicate explanations by the editor; also, in a few instances, italics indicate letters supplied by the editor to complete a word.

A line drawn through a word or a part of a word indicates a word or letters canceled in the manuscript.

|| || inclose words interlined in the manuscript by the reviewer.

§ § inclose words interlined in the manuscript by the copyist.

—— indicates words underlined in the manuscript.

SIGNS AND ABBREVIATIONS.

con indicates tion.

Co^{rt} indicates Court.

C^r indicates etc.

lre, lres indicate letter, letters.

ll indicates pound.

ll^s, LLs, Lo indicate Lords, Lord.

Lo^{ps}, LL^{ps} indicate Lordships.

M^{ts}, Ma^{tie} indicate Majesty's, Majesty.

o^r, yo^r indicate our, your.

p indicates per, par, e. g. pvse (peruse).

p indicates pro.

p̃ indicates pre, pri, e. g. p̃luately (privately).

q̃ indicates que.

T̃rer, Th̃rer indicate Treasurer.

w^{tt} indicates weight.

9 indicates omission of final letters or syllable, e. g. man⁹ (manner).

ℓ indicates final es or et, e. g. handℓ (handes).

THE COURT BOOK

VOLUME I, 1619-1622

Records of the Virginia Company of London

28 APRILL 1619

A QUARTER COURT HELD FOR VIRGINIA
AT S^r THOMAS SMITHS HOWSE IN PHILPOTT
LANE 28 OF APR^o 1619 PRESENT

RIGHT HONO:^{tes}

The Earle Southampton.
The Earle of Warwick.
The Lo: Cauendish.
The Lo: Pagett.
Generall Cecill.

S^r Thomas Smith kn^t Th^rer.

S ^r Edwin Sandis.	S ^r Nath. Rich.	m ^r W ^m Bell.
S ^r Iohn Dāuers.	S ^r Io: Wolstenholme.	m ^r Humfry Handford.
S ^r Iohn Merrick.	S ^r W ^m Russell.	m ^r Rich: Rogers.
S ^r Dudley Diggs.	S ^r Tho: Wilford.	m ^r Iohn fferrar.
S ^r Nicholas Tufton.	m ^r Ald ^r an Iohnson.	m ^r Clitheroe.
S ^r Samuell Sandis.	m ^r Morrice Abott.	m ^r Caning.
S ^r Henry Rainsford.	m ^r Thomas Gibbs.	m ^r Ditchfeild. C ^r .
S ^r Robt Wayneman.	m ^r Thomas Stiles.	
S ^r Tho: Cheeke.	m ^r W ^m Greenwell.	

The last Court referring the duty appertayning to every perticuler Office to be considered and prepared against the Quarter Court by a select Comittee, they haue therein taken extraordinary paines: And

according as they were desired haue attended the It^s and receaued their approbacon of the orders by them conceiued: W^{ch} orders were now presented to the Court; where after they were twice read, (being putt to the question) they were confirmed by a Generall ereccon of hande.¹

This Quarter Court according to the L^{res} Pattents being chiefly ordayned for the eleccon of Officers: M^r Trer desired the Court that before he left his place, he might acquaynt them wth two messages Lately re^cd from the King: The one was, that he receaued a lre from m^r Secretarie Caluert that his Ma^{tie} had sent a man vp suspected for Deere stealing, to be transported for Virginia; and vnderstanding that M^r Iohn fferrar had a shipp shortly to goe thither, || desired || that his Ma^{ty} resolucon might be fulfilled therein. The other was, that this morning there came a messenger of the Chamber to vnderstand of the welfare of the Plantation, his Ma^{ty} hauing heard that a Shipp was come from thence: And so desired the Court to proceed to the choice of their Officers, signifying that for these Twelue yeares he hath willingly spent his Labo^rs and endeaue^{rs} for the support thereof: and being now appointed by the Kinge a Comissione^r of his Nauie he could not giue such good attendance as he therein desired. Requesting the Court to shewe him so much fauo^r as now || to || dispence with him, and to elect [2] some worthy man in his place, for he had resolved to relinquish it, and therefore desired that two requests might be graunted him for all his service done vnto them. ffirst that he ~~may~~ || might || haue their good report according as he hath deserued: And secondly that his account might be wth all speed audited, that before he dyes, he might see the same cleered, and receiue his Quietus est vnder the Companies seale. W^{ch} the Co^{rt} finding his resolucon to be settled, and that he would not stand in eleccon; they proceeded according to the Last Standing order now read, to make choice of their Treasuro^r S^r Edwin Sandis, S^r Iohn Wolstenholme and m^r Aldran Iohnson being nominated and accordingly ballated, the Lott fell to S^r Edwin Sandis to be Trer, he hauing 59 balls, Sir Io: Wolstenholme: 23: and Aldran Iohnson: 18: wherevpon his oath was administred.²

¹ For a draft of this report see List of Records, No. 105, page 133 *ante*.

² For documents relating to this election see List of Records, Nos. 108 and 170, pages 133 and 140, *ante*.

Proceeding to the eleccon of the Deputy, there was nominated m^r Alder Johnson, m^r Xofer Cletheroe, and m^r Iohn fferrar, who being balloted m^r Iohn fferrar was elected Deputy for the ensuing yeare by hauing 52 balls, m^r Aldran Johnson 29, and m^r Christopher Cletheroe ten; vpon w^{ch} the said m^r Iohn fferrar had his Oath giuen.

Next the Court proceeded to the eleccon of the Comittees, w^{ch} was performed according to the Standing order now read, one fourth part being nowe elected, and the rest by ereccon of hands confirmed, Their names be these,

m ^r Raphe Gore.	m ^r Edw: Ditchfield.	m ^r Caswell.
m ^r W ^m Caninge.	m ^r Geo: Smith.	m ^r Paulson.
m ^r W ^m Palmer.	m ^r Dan: Darnelly.	m ^r Keightley.
m ^r W ^m Essington.	m ^r Ri: Morer.	m ^r Chambers.
m ^r Tho. Wheatley.	m ^r Berblock.	m ^r Wiseman.
		m ^r Barnard

In like sort for Auditors the Court now haue made choice for the succeeding yeare of S^r Io: Dāuers, m^r Io: Wroth, m^r Essington, m^r Io: fferrar, m^r Briggs, m^r Wiseman and m^r Chambers, who taking their Oaths, all saue m^r Iohn Wroth who was absent, they or any three of them were desired to bestowe some extraordinary paines in the expediting of the Acc^o w^{ch} they haue promised to performe.

Valentine Markham Bookeeper	} Was confirmed in their former places and tooke each of them the same Oath.
William Webb Husband	
ffrancis Carter the Officer C ^r	
Henry ffotherby Secretary	

Vpon the absence of S^r Tho: Smith the Court was moued by S^r Edwin Sandis now Treasurer, that in consideracon of the greate trouble [3] mixed often with much sorrowe w^{ch} S^r Thomas Smith had endured, during the terme of Twelue yeares past from the very infancy of the Plantacon vnto this present, and had now surrendred vp his place at such time as (by the blessing of God) there was hope that the Action might proceed and prosper if it were followed wth care and

industry requisite for soe greate a busines; That therefore in some sort according to their abillities, it were fitting to express their thankfullnes for his good endeauours in conferring Twenty shares vpon him: w^{ch} being put to the question, it was agreed he should haue Twenty greate shares and was confirmed vnto him by a Generall erec^con of handes.

This Court was acquaynted, that the Lord of Salisbury desired the admittance of Captaine ¹ Brett into this ffellowshipp, and to that end his L^op hath giuen him Two of his shares in Virginia, requesting that he might be suffered to sitt in the Court^e, and as occasion serueth to sollicite his busines. W^{ch} the Court hath willingly graunted vnto him, so as the same be donne according to the orders of the Company.

Vpon the request of Captaine Daniell Tucker for this Court to conferr 20 shares vpon him for his fve yeares service spent in Virginia, aswell for his personall Adventure, as for the severall Offices and eminent places w^{ch} there he held and executed, as namely, Capemerchant, Prouant M^r, one of the Counsell, Truck M^r and Viceadmirall, wherein by reason of shortnes of time, was now referred to the Generall Comittee to giue him reward as they shall thinke fitt.

¹ A blank space in the manuscript.

MAY THE 12th 1619

A COURT HELD FOR VIRGINIA AT MR. FERRARS
HOWSE IN ST. SITHES LANE, BEING PRESENT

The Right ho^{ble} The Earle of Southampton.
The Earle of Warwick.

S^r Edwin Sandis Kn^t T^rer.

S ^r Dudley Diggs.	m ^r Io: fferrar D ^{pty} .	m ^r Wheatly.
S ^r Io: Dauers.	m ^r Thorpe.	m ^r Swinhowe
S ^r Hen: Rainsford.	m ^r Tomlins.	m ^r Chambers.
S ^r Edward Harwood.	m ^r D ^r Gulston.	m ^r Hen. Briggs.
S ^r Nath: Rich.	m ^r Oxenbrigg.	m ^r Berblock.
S ^r Io: Wolstenholme.	m ^r Tho Gibbs.	m ^r Geo: Smith
S ^r Tho: Wroth.	m ^r Rogers.	m ^r Meuerell, etc.
S ^r Tho: Wilford.	m ^r Nich ^o fferrar.	
m ^r Iohn Wroth.	m ^r Gabriell Barbor.	

It was propounded by mr. T^rer that for as much as there hath beene heretofore two seuerall Comittees appointed by the Court; The first for making of Orders for the Company, & for matter of Graunts and Pattents of Land; And [4] the other for the setting downe the duty of euery perticuler Office, that therefore whither they thought it not expedient, that there should be a third Comittee appointed to take the labo^{rs} of both the former Comittees into considera^on, who by adding them together, and supplying what may seeme defectiue, may reduce them into one entire body to be presented to the next Quarter Court for confirma^on if they shall see cause. W^{ch} Proposi^on the Court haue condiscended vnto, and to that end haue desired

S ^r Dudley Diggs.	S ^r Iohn Wolstenholme.
S ^r Edward Harwood.	m ^r Alder Iohnson &
S ^r Nath: Rich.	m ^r Iohn Wroth.

to meete vpon ffriday seavenight being the 21th of this instant at S^r Edwin Sandis howse at seauen of the Clock in the morning.

Mr. Treasurers second Proposiçon was, that there might be another Comittee for the constituting of Lawes and settling of a forme of Governem^t ouer all Virginia, appointing Magistrates and Officers therevnto, and expressing their seuerall dueties: w^{ch} the Court generally did very well approue of and haue nominated the former Comittee, and licenced any of the Counsell to repair vnto them, and to haue their voice, and haue added of the Company to be assisting S^r Thomas Wroth, m^r Thomas Gibbs, m^r D^r Gulson, Captaine Bingham, m^r W^m Essington, m^r Edward Ditchfield, m^r Thomas Kightley, m^r W^m Caninge, m^r Henry Briggs and mr. Thomas Wheatley to meet at the same time and place vpon ffriday ffourtenight being the 28th of this instant.

Mr. Th^rer intimated to the Court, that whereas S^r Thomas Smith at the resigning vp his place should report that there was —4000^{li} for the new Treasuro^r to enter vpon, he now signified that it was true if the Lotteries were dissolued and the account giuen vp: but in the interim there resteth but One thousand poundes in Cash the rest in Stock remayning in the hands of him that hath the managing of the busines, and out of this there is debts to pay, and w^{ch} shortly wilbe due to pay the some of—3700^{li}—viz^{tt} old ~~poun~~ debts of Ten yeares old 1800^{li}—and att the returne of the Shipps S^r Geo: Yeardley went in, and the other wherein the Children was transported will amount to—1148^{li}—as also 700^{li}—w^{ch} is owing to the Collecçon mony, w^{ch} by warrant hath beene yssued out for the vse of the Company; And therefore it was putt to the question whither the Stock remayning should goe or not to the payment of the Companies debts, w^{ch} was by erecçon of hande allowed that it should. And further, agreed that the remaynder should be employed either in sending men to the Publique Land to rayse benefitt that wayes or in transporting of Cattle, w^{ch} hereafter may seeme fittest.

And forasmuch as there is now remayning in the hands of Gabriell Barbor much old plate w^{ch} if the Lottaries were finished, the Company thereby should sustayne great Losse: It was therefore now ordered (vnlesse some can giue iust informaçon of any perticuler abuse) that the same shall continue to be drawne out till the last of Nouember next ensuing & then to cease and determine. [5]

And forasmuch as S^r Thos. Smith is very importunate for the speedy auditing of his Acc^o and to that end hath desired some others to be associated vnto the Audito^{rs} namely, m^r Morris Abbott, m^r Humph: Handford, and m^r Anthony Abdy: It is therefore ordered, that if he so please these three shalbe annexed vnto them, either as Audito^{rs} or as assistants to see the passage of the busines, that S^r Thomas Smith haue noe wrong: but if it be his pleasure to allowe of them to be Audito^{rs}, then the next Quarter Court they to take their Oaths for the preventing of all partiallity, and m^r Thomas Keightly is also chosen to be associated to the Audito^{rs} and to take his oath. And in asmuch as the great paines allready spent by the Audito^{rs} hath gayned to them selues a more perfect vnderstanding than those w^{ch} shall newly enter cann be capable of. Therefore it was moued that Three of the old Audito^{rs} might be of the Coram, and that nothing should be concluded wthout two at least of their consents; W^{ch} Proposiçon was well allowed, and mr. Thñer, S^r Io: Dāuers and mr. Wroth being thereto nominated, and put to the question, it was by erecçon of hand℥ confirmed.

Captaine Brewster hauing formerly by way of appeale deliuered vnto the Court a certaine writing touching the proceedings of Captaine Samuell Argoll against him at the arriuall of the Neptune in Virginia, and the manner of his tryall, and being at this Court ready to mayntayne the same, and to obiect other grievances against him, he was wished rather to forbear till the said Captaine Argoll were p^rsent: and in the interim haue thought it convenient to deliuer vnto the said Captaine Argoll a copy of the said writing of Appeale to make answere vnto the same, and haue appointed him to put in his other Articles vpon ffriday morning next to m^r Thñer and m^r Deputy to be by them perused and deliuered into the next Co^{rt}, and the next Quarter Court to heare the Appeale.

Lieftenant Stokes made request vnto the Court, that they would please in regard of the Adventure of his person and his Long time spent in Virginia to bestowe some Land vpon him there for the same; w^{ch} they found to be now noe convenient time for that purpose; but if at y^e next Q^r Court he procure it to be moued for him, that Court will take thereof due consideraçon.

MAY THE ¹1619

S^r Edwin Sandis Kn^t Thřer.

S ^r Edward Harwood.	m ^r Nich: fferrar.	m ^r Geo: Smith.
S ^r Io: Dāuers.	m ^r Berblock.	m ^r Bland.
m ^r Io: fferrar Dpt.	m ^r Hen: Briggs.	m ^r Caswell.
m ^r Geo: Thorpe.	m ^r Wiseman.	m ^r Sparrowe.

A Comission was now sealed to Iohn Iohnson M^r of the Bona Noua for to take his passage from hence in that shipp to Virginia. [6]

Letters procured from the Lordes of the Counsell to the Company of Grocers and signed by Pembroke, Southampton, Exeter, Zouch, Carey and Digby was now sealed and referred to mr. Deputy fferrar to deliuer it to the said Company.

Notice being giuen of a new Pattent which one ¹Sumerscales was about to take about ¹Tobacco: the Co^{rt} desired m^r Thřer to speake wth m^r Atturney generall, and to learne whither the same be any way preiudiciall to the Company or not.

MAY THE 26th 1619

PRESENT

Generall Cæsill.	m ^r Tho: Gibbs.	m ^r W ^m Palmer.
S ^r Edw: Sandis.	Capt. N: Butler.	m ^r Swinhowe.
S ^r Io: Wolstenholme.	m ^r Oxenbrigg.	m ^r Berblock.
S ^r Tho: Wroth.	m ^r Rogers.	m ^r Conell.
m ^r Alder Iohnson.	m ^r Tho: Cañon.	m ^r Meuerell.
m ^r Io: Wroth.	m ^r Essington.	m ^r Caswell.
m ^r Io: fferrar Dpt.	m ^r H: Briggs.	m ^r Roberts etc.

It was made knowne by m^r Treasurer, that the two Comittees appointed by the last Court for the reducing of the Standing orders into one entire body, and for setling a forme of government, and magistracy

¹ A blank space in the manuscript.

in Virginia: The first haue mett as they were desired, and at the next meeting hope to make an end, & present them to the Quarter Court ensuing: ffor performance thereof haue desired further reference of the second Comittee till ffriday after this Quarter Court, because being a busines very waighty, it can not so soone be well digested; but they will prepare and make them ready for the approbacon of a Quarter Court in Michaelmas terme.

The busines formerly putt to arbitrement, and referred by the Company and the Lady Lawarre vnto mr. Thomas Simonds and m^r Thomas Westrowe touching the freight of the Neptune, and the Acc^o of Rich: Beomonnt m^r and Part-Owner being concluded by the Arbitrator^s, and the perticulers now read, receiued the confirmacon of the Court: Vpon w^{ch} m^r Th^rer paid the mony, and tooke in the Charter party.

Captaine Brewster hauing deliuered Articles objected against Captaine Samuell Argoll touching his gouernement in Virginia, to m^r Treasurer and m^r Deputy, as the Last Court required, the same was now presented: Vnto w^{ch} order is giuen that Captaine Argoll haue a coppie of them, as also of the writing of Appeale formerly deliuered in that he make answeere therevnto: And also that the said Captaine Samuell Argoll (against the next Quarter Court) be warned to bring in his writt of discharge.

The Last Court wherein m^r Th^rer was desired to repaire to m^r Attorney Generall to learne the Contents of a Pattent w^{ch} should be graunted [7] to one Sumerscales about Tobacco. He now acquaynted them that he had performed that trust, and findeth it to be very preiudiciall to this Company, if the same should passe therefore advised that there might forthwth be a course taken for to prevent and stopp the proceeding of it: w^{ch} being taken into consideracon, the Court haue desired m^r T^rer to goe againe to m^r Attorney Generall and to take some more paines for to hinder the going forward of the same, and haue associated to goe along wth him Generall Cecill, S^r Io: Wolstenholme, m^r Alder Johnson and m^r Iohn Wroth to morrowe morning at seauen of the Clock, and if they faile of doing good therein, it is agreed, that the

Counsell shalbe assembled to take such further course therein as shall seeme requisite m^r W^m Palmer was desired to write to m^r Summerscales to meete them at that hower at m^r Atturnies.

It was also by m^r T^rer propounded to the Co^rt as a thing most worthy to be taken into considera^on both for the glory of God, and hono^r of the Company, that forasmuch as the King in his most gracious fauo^r hath graunted his L^res to the seuerall Bishops of this Kingdome for the collecting of monies to erect and build a Colledge in Virginia for the trayning and bringing vp of Infidells children to the true knowledge of God & vnderstanding of righteousness. And considering what publike notice may be taken in foreslowing to sett forward the ac^on, especially of all those w^{ch} hath contributed to the same, that therefore to begin that pious worke, there is already towards it —1500^{li},—or thereabouts, whereof remayning in cash 800^{li}, the rest is to be answered out of the Stock of the Generall Company for so much w^{ch} they borrowed, besides the likelihood of more to come in; ffor m^r Treasuro^r hauing some conference wth the Bishop of Lichfield, he hath not heard of any Collec^on that hath beene for that busines in his Diocese; but promiseth when he hath a warr^t therevnto he will wth all dilligence further the enterprize; Wherevpon he conceaued it the ~~best~~ fittest; that as yet they should not build the Colledge, but rather forbear a while; and begin first with the meanes they haue to provide and settle an Annuall reuennue, and out of that to begin the erec^on of the said Colledge: And for the performance hereof also moued, that a certaine peece of Land be Laid out at Henrico being the place formerly resolu^d of w^{ch} should be called the Colledge Land, and for the planting of the same send presently ffty good persons to be seated thereon and to occupy the same according to order, and to ||haue|| halfe the benefitt of their Labo^r and the other halfe to goe in setting forward the worke, and for mayntenance of the Tuto^{rs} & Schollers. He therefore propounded that a Shipp might be provided against the begining of August, to carry those ffty men wth their prouisions, as also to send fiftie persons more to the Co^mon Land w^{ch} may raise a Stock for the paying of dueties there and defraying the Companies charge here, and to send provision of victualls wth them for

a yeare: And for the defraying the charge hereof did also propound the meanes; first for the Colledge there was mony in Cash, and besides it may saue the Ioint stock the sending out a Shipp this yeare, w^{ch} for 4^d a pound they will bring from thence all their Tobacco w^{ch} may arise to ffive hundreth pound℥ besides mony that may come in otherwise to [S] helpe to beare the charge of the voyage; W^{ch} Proposiçon was well liked but the time and season not allowed of all; and by some obiected, that the Generall Plantaçon should receaue much mony if more men were sent ouer soe sodaynly before those that are allready gone haue procured wherewthall to subsist; as also being a matter of greate consequence it did more properly belong to the deciding of a Quarter Co^{rt}: but the former reasons being answered; and being further alleaged if it were till then prolonged the time would be past for their provisions of beefe, beere, and meate. Wherevpon after Long arguing and disputing thereof it was agreed to be putt to the question; W^{ch} being propounded whether a shipp should be sett out to carry men for these two good vses and be sett out at the publique charge—(viz^t) wth 50 Passengers for the Colledge Land, and 50 for the Co^mon Land, it was by generall consent, and erec^on of hand℥ allowed and confirmed.

One m^r Weyncop comended to the Company by the Earle of Lincolne intending to goe in person to Virginia, and there to plant himselfe and his Associats presented his Pattent now to the Co^{rt}; w^{ch} was referred to the Committee that meeteth vpon ffriday morning at m^r Treasuro^{rs} howse to consider and if need be to correct the same.

JUNE THE VIJth, 1619.

A PREPARATIVE COURT HELD FOR THE VIRGINIA
COMPANY AT MR. ffERRARS HOWSE IN S^t SITHES LANE.

PRESENT

S^r Edwin Sandis Kn^t Th̃er.

S ^r Iohn Dāuers.	m ^r Ri: Tomlins.	m ^r Hen: Briggs.
S ^r Nath. Rich.	m ^r Hen: Reignold.	m ^r fferrar iunio ^r .
m ^r Io: Wroth.	Capt Io: Bingham.	m ^r Bamford.
m ^r fferrar Dpt̃.	Capt Io: Bargraue.	m ^r Berblock.
m ^r D ^r Anthony.	m ^r Robt: Smith.	m ^r Caswell.
m ^r Tho: Gibbs.	m ^r Edw: Ditchfield.	m ^r Iadwine etc.

The standing lawes and orders formerly allowed and confirmed by diuers Quarter Courts touching the graunts and Pattents of Land, and the duty appertayning to euery perticuler Office, being reduced by a Comittie into one entire body; vnto w^{ch} the Counsell being assembled, haue allowed thereof, and being now presented to this Court, was red for the preparing them for the confirmacon of the Quarter Court ensuing.

Whereas the writt of Appeale put in by Captaine Brewster against Capt. Samuell Argoll is to be answered at the next Quarter Court, w^{ch} depends more vpon matter of Lawe then fact: and being a [9] question whither Marshall lawe be a iustifiable proceeding in such a Crime, Order was giuen that the Tres Pattent^e might be ready at that time to collect what Light they can touching the same.

And forasmuch as about the time of the Graunt of the first Tres Pattents, there were also Instruccōs giuen by his Ma^{ty} vnder the Priuy seale to the Treasuro^r and Company of Virginia, for the governing of the Plantacon, A coppie of w^{ch} m^r Treasuror hauing now

founde in the Ancient Court Rowles w^{ch} before he neuer heard of;
And inasmuch as they are to be proceeded in wth greate care and
advise, S^r Tho: Smith is desired (if it may be) to send in the Originall.

A petiçon was preferred by Capt Bargraue touching his suite com-
enced in the Chauncery against the Adventure^{rs} of the Ioint stock, was
referred to a Comittee, viz to m^r Tomlins, m^r Rogers, m^r Bamford,
m^r Briggs m^r fferrar Iunio^r, m^r Berblock or any three of them to meete
at this place to morrow at two of the Clock in the Afternoone.

By order of Court, vnder the Seale of the Company m^r Lott Peere
receiued his Quietus est for his imployment in the ffiue shillings Lot-
tery, by two seuerall Account^{ts}, and had paid S^r Edwin Sandis Th̄er
for the foote of one Acc^o—116—9—11—and for the foote of his other
Account—34—15—8—.

That m^r Th̄er moue the Quarter Court to take order for the paying
of prizes in the Lottery.

The Audito^{rs} made allowance of Twelue single shares of Twelue
pound^{ts} ten shillings apeece belonging to sundry Adventurers, all of
them being passed ouer to the parties herevnder named

John Hodgson—25th passed to ffancis Whitney Esq^r.

John Tauernor—37th—10^s to Thomas Shepherd Merch^t.

Martine Earle—12—10 to Nicho: Buckeridge Merch^t.

D ^r Lawrence Böhun fiue shares of 12:10:a peece.	{	to Richard Boothbie merchant. to D ^r Thomas Winstone. to Hugh Windham Merch ^t . to Iohn Tucker Merchant. to Iohn Strange.
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Capt Edw: Brewster 1 share to W^m Cranmer Merch^t. [10]

JUNE IXth 1619

A QUARTER COURT HELD FOR VIRGINIA AT
M^r FERRARS HOWSE IN S^r SITHES LANE PRESENT

The Right hono^{ble} Henry Earle of Southampton.
Robert Earle of Warwick.

The Lo: Cauendish.	m ^r Alder. Iohnson.	Capt: Na: Butler.
The Lo: Pagett.	m ^r Io: Wroth.	m ^r Hum: Handford.
Generall Cecill.	m ^r Geo: Sandis.	m ^r W ^m Bell.
m ^r Treasuror.	m ^r Morrice Abbott.	m ^r Rich: Rogers.
S ^r Tho: Smith.	m ^r Io: Ferrar Dept.	m ^r Antho: Abdy.
S ^r Io: Merrick.	m ^r Tho: Gibbs.	m ^r W ^m Essington.
S ^r Dudley Digges.	m ^r Hen: Reignolds.	m ^r W ^m Caninge.
S ^r Io: Dāuers.	m ^r Rich: Tomlins.	m ^r George Swinhowe.
S ^r Tho: Gates.	m ^r George Thorpe.	m ^r Steward.
S ^r W ^m Thrickmorton.	m ^r W ^m Oxenbrigg.	m ^r fferrar iunio ^r .
S ^r Nath: Rich.	D ^r ffran: Anthony.	m ^r Ditchfield.
S ^r Antho: Auger.	D ^r Gulstone.	m ^r Hen: Briggs.
S ^r Tho: Cheeke.	D ^r F ^r Thomas Win-	m ^r Wiseman.
S ^r Io: Sams.	stone.	m ^r George Chambers.
S ^r Io: Wolstenholme.	Capt Samuell Argoll.	m ^r Wheatly.
S ^r W ^m Russell.	Capt Bargraue.	m ^r Shepherd.
S ^r Tho: Wilford.	Capt Tucker.	m ^r Cranmer.
	Capt Io: Bingham.	m ^r Boothby.
	Capt Brewster.	m ^r Buckeridge.
	Capt Whitner.	m ^r Berblock.
		m ^r W ^m Palmer etc.

The standing lawes and orders for the Company being reduced by the Comittee into an entire body, and by them presented to the Counsell, who approuing of them, and hauing beene afterward read to the Preparatiue Co^{rt}, and now to this greate and generall Co^{rt}, not any Lawe was contradicted saue one, the Chapter of Audito^{rs} concerning the old

Acc^o depending in Audite, w^{ch} S^r Tho: Smith tooke some excep^ons, that three or fower should now contradict that account, whereof 16 worthy and sufficient men allowed, and the party in Court that writt the same, who would be deposed vpon his Oath that it was the same then made and written: And therefore made two request^e; first, that this Account may stand, and the Audito^{rs} to proceed from thence, if noe iust excep^ons can be taken against it. And secondly that by reason of his extraordinary busines, dishabillity in body, and he because he would be ready to answere to any difficulty, requested, that the Audite might be kept at his howse, and to goe forward wth the Acc^o of the Cashe, w^{ch} he onely is ingaged for and noe other; And what damage appeareth hath beene done to the Company by such Officers as he trusted he will satisfy to the vttmost: But vpon profession that the said lawe was not to preiudice or debarr S^r Thomas Smith from the benefitt of the said old Accompte, they were agreed to be putt to the question: W^{ch} being done, they were generally confirmed by erec^on of hand^e.

Afterward vpon the exhibiting of a writing signed by fflower of the Auditors in answere of S^r Thomas Smiths mo^on touching the sayd Account; Sir Thomas Smith vpon pervsall of the said writing and to giue all men satisfac^on, gaue his consent that the present Audito^{rs} should proceed wth his Account from the beginning: And touching the keeping of [11] the Audite at Sir Thomas Smiths howse being disliked by the Audito^{rs}, and obiected by some of them, that howsoever they might haue vse of S^r Thomas Smith, yet they should¹ have more vse of S^r Edwin Sandis by reason of his experience therein, whose busines would not permitt him to come so farr. W^{ch} was answered by S^r Thomas Smith, that others might be found to haue as much experience in Accounts, as he, and be more fitter in regard of his greate busines: Yet notwthstanding to determine this Controuersy, he would referr himselfe to the most voic^e of the Audito^{rs}, whither they would be willing to meete at his house or not. The mo^on being well liked, it was ordered, that the seauen Audito^{rs} chosen by the Quarter Court of elec^on, and fower others by a former Court annexed vnto them, and allowed at this (so that they take their Oaths) namely, m^r Morris Abbott,

¹ Written over "would" in the manuscript.

m^r Humphrey Handford, m^r Antho: Abdie and m^r Thomas Kightley doe assemble vpon Munday morning at S^r Edwin Sandis about the Accompt^l, and there to appointe the time and place of meeting, and to adiourne it from time to time as they shall see cause.

A former Act of Court made 26^{to} die Maij, touching the setting out a shipp wth one hundred men for the Colledge and publiq Land, was now agayne propounded by m^r Th^rer: W^{ch} being putt to the question, receiued the confirma^on of the Court; and agreed that the said shipp should be ready to sett out soone after the middest of July at the furthest, that by the blessing of God they may ariue there by the end of October, w^{ch} is the fittest and seasonablest time for men to doe some busines.

Captayne Brewsters appeale against Captaine Samuell Argoll touching his condempna^on in Virginia being referred to the hearing of this Court; and now questioned by the said Captaine Brewster whither he were Gouverno^r or noe, imagining that at their Landing he had receaued his writt of discharge; and if it were so whether he dealt iustly, proceeding as he did against him in Marshall Lawe, being onely in case of muteny and rebellion that the same should be executed. Touching the point whither he were Gouverno^r or noe, it plainly appeared by a L^re sent vnto him (w^{ch} the said Captaine Argoll now produced) signed by some of the Counsell and Company, that at the Landing of the Lo: Lawarr in Virginia, he should surrender vp his place; W^{ch} seeing it pleased god to take his Lo^{ps} Life from his mortall body before he Landed there, this point stood cleere that he remayned Gouverno^r, in statu quo prius. ffor the other point whether iustice were executed in performing his tryall by Marshall Lawe, because the Court found it more convenient for the busines to be more priuately handled, it was ordered, that the Counsell should be summoned to meete to morrow morning at my Lo: of Warwickes house at eight of the Clock there to decide the business and report to the Court.

This Court taking into considera^on the worthynes of some Noblemen and others now present by giuing their dilligent attendance from time to time to the benefitt and furtherance of the Planta^on, as namely

the Right hono^{ble} Robt Earle of Warwick, S^r Tho: Cheeke, S^r Nath: Rich, m^r John fferrar deputy and Captaine Nath: Butler haue now [12] made choice of them to be of his Ma^{ty}s Counsell for Virginia, and each of them being putt to the question was generally ratified by erec^on of hande, and are appointed to ||attend|| my Lo: Chamberlaine for the taking of their Oaths.

The request of diuers of the Generallity to the Trer, Counsell and Company of Virginia being presented at this Court, touching the reforming and rectifying of the Magazine busines, was vpon pervsall allowed of, and being putt to the question ratified by erec^on of hande; W^{ch} points are these that followe,

1. Whereas the Director of the Magazine his Assistants and other Officers haue vpon the first elec^on continued now in their places two yeares and vpwards, They desire, that according to the vse of the Officers for the Company they may be chosen anew euery yeare, or that the former may be continued in their places by a new elec^on yearly.
2. Whereas the Officers of the Magazine haue promised out of the good^e returned from Virginia to make a Deuision of one Capitall vnto the Adventurers in Aprill last, and haue not yet performed it, nor made vp any Accounts to giue the Adventure^{rs} satisfac^on, They desire that they may be required by the Court to performe their promise imediately, and to make vp their Account^e against the next Court day and then present them to the Court; And that the Adventurers may then proceed to a new elec^on.
3. Thirdly that the Officers of the Magazine as well those that are now, as those that shalbe hereafter may take their Oaths for their iust dealing, and trew accompting w^{ch} the Company, aswell as the Officers of the Generall Company who handle not so greate so^mes.
4. That all the letters written from the officers of the Magazine to the Capemerchant, and from the Capemerchant to them may be entred in a booke by their Secretary, to the end that all men may be satisfied of faire dealings and proceedings.

5. That the Assembly for the Magazine may be kept when & where the Courts are to the end the Adventurers may come and speake their mindes more freely, soe farr forth as they shall haue reason.

fforasmuch as it appeared, that there was more busines to be performed then this Afternoone could well determine; It was moued that if m^r Th̄rer hereafter shall finde the like, that then he may please to giue order for the Company to meete both fforenoone & Afternoone, w^{ch} was referred to be considered of by the Comittee for the Standing orders.

By reason it grewe late, and the Court ready to breake vp, and as yet m^r Iohn Whincops Pattent for him and his Associates being to be read, it was ordered that the seale should be annexed vnto it, and haue referred the trust thereof vnto the Auditors to examine that it agree wth the Originall; w^{ch} if it doth not, they haue promised to bring it into the Court & cancell it. [13]

A former Comittee appointed concerning Captaine Bargaues busines, the matter being found difficult, and the time short, The Court vpon another petiçon preferred by Capt Bargaue haue adioyned vnto them Generall Cæsill, S^r Dudley Diggs, S^r Tho: Cheeke, S^r Iohn Dāuers, S^r Nath: Rich to meete at Generall Cæsills howse to morrowe Afternoone at two of the Clock; And that m^r Aldřan Iohnson, m^r Essington & m^r Ditchfield be warned to be there at that time.

JUNE THE 14th 1619

PRESENT

S^r Edwin Sandis Kn^t Th^rer.S^r Dudley Diggs. Capt. Bingham.S^r Io: Dāuers. Capt. Bargaue.S^r Tho: Gates. Capt. Butler.S^r Nath: Rich. Capt. Brewster.S^r Io: Samms. m^r D^r Anthony.m^r Iohn Wroth. m^r D^r Gulson.m^r fferrar Dp^{ty}. m^r Canñon.m^r Hen: Reigould. m^r Hen: Briggs.Capt. S. Argoll. m^r Wiseman.m^r Chambers.m^r Wheatley.m^r Shepherd.m^r Kightley.m^r Berblock.m^r Caswell.m^r Geo: Smith.m^r Sparrowe.m^r El: Roberts etc.

At this Court m^r Iohn Wroth, m^r Morris Abbott, m^r Humphrey Handford m^r Anthony Abdie m^r W^m Essington and m^r Thomas Keightley were now sworne Audito^{rs} for the Virginia Company.

The Guift being now returned from Virginia and hauing brought fres from S^r George Yeardley directed to S^r Edw: Sandis intimating the sore voyage they had; being going thither from the 19th of Ianuary to the 19th of Aprill following, In w^{ch} time there dyed 14 Landmen and three seamen as also that two children was borne at sea, & dyed, and at his there ariuell finding the Plantacon to be in great scarsity for want of Corne, desired the Company to beare wth him, if ||for|| this yeare he some thing neglected the planting of Tobacco, and followe the sowing of Corne, where by the next yeare he hopes by the blessing of God to raise such a Cropp thereof, that the said Plantacon shall haue noe greate cause to complaine in hast of want. Other priuate busines m^r Th^rer acquaynted the Court was specified in his L^{res}, w^{ch} is first to receaue the advise of the Counsell, and by their direccons to reveale it to the Court.¹

¹ This is probably the letter given in List of Records, No. 93, page 131, *ante*.

It was moued by m^r Th̄rer, that the Generall Comittees should forth-with meete for the setting out this shipp, and furnishing of her wth good people to be sent to the Colledge and publique Land, w^{ch} hitherto by defect thereof, the Plantacon hath beene much wronged: w^{ch} [14] if the Court would put them in trust for the prouiding of such, they would intreate the Gentlemen both of Country and Citty to helpe them therewith. W^{ch} mocon the Court comended and haue desired m^r Th̄rers assistance therein.

The Counsell hauing mett according to order from the Last Court; touching the appeal of Captaine Brewster against Captaine Samuuell Argoll, the Court hauing cleered one point concerning his Gouverno^r-shipp, and the Counsell now approuing of the other for his tryall by Marshall Lawe, holding Captaine Argoll not faulty therein, by reason he proceeded and followed the example of his Predecesso^{rs}, and the Custome altogether vsed hetherto in that Plantacon, w^{ch} is likely to continue till the standing orders for Virginia be made and enacted; and he being tryed by a Marshall Court, the Counsell held it to be the Noblest tryall being iudged by Souldiers and men of worth. But forasmuch as it is obiected that the said Captaine Argoll proceeded vnduely, Capt Brewster comitting noe crime worthy of death, and being also alleaged that he was first condempned and afterward called vnto his Answere, w^{ch} the Counsell and Court here cann not iudge of, but is to be tryed there, where the euidence may be giuen; It was therefore now ordered, that the said Appeale and Captaine Argolls answere therevnto shalbe sent inclozed wthin a Ire of the Companies to S^r George Yeardley and the Counsell of State, and they to make examinacon of the cause and returne Certificate thereof. An oath was also exhibited by Captaine Brewster, w^{ch} was administred vnto him in Virginia, w^{ch} is also agreed to be sent for informacon of the truth thereof.

The Comittee by the Court appointed vpon the petiçon of Captaine Bargraue, touching the suite depending in Chauncery betwixt him and some Adventure^{rs} of the Magazine, the same Comittee meeting at the time and place appointed, and considering thereof hauing both bill

and answere, and the booke of the Orders of Courts, who perving the same, and finding that Capt. Bargraue had 14 dayes respite for giuing security to the Adventurers, and wth in six dayes the bargaine was taken of his handes, for w^{ch} he was to allowe vnto the Adventurers, —150^{li} wth a promise that if it were sold for aboue ffiue shillings a pound, he should haue the Ouerplus: but being all sold by some of the Adventurers of the Magazine amongst themselues wth in two dayes after at— iiij^s ix^d it was conceaued by the said Committee, that the said Capt Bargraue had much wrong offered therein: and therefore did see noe reason why the Company should countenance this busines, but leaue the Defend^{ts} to followe it; or to take the matter vp amongst themselues. Wherevpon after some debating, being putt to the question whither the Virginia Company should ioyne or noe in suite against Capt Bargraue wth the Defendants, It was agreed by erec^{con} of hande that notwithstanding any order to the contrary, the said Company should neither ioyne nor assist the said Defendants herein. And that vpon Wedensday sevenight, when the said Adventurers of the Magazine doe meete, it be putt vnto them to see likewise if they will vndertake the same.

[15] It was agreed that M^r Aldran Iohnson, and the rest of the Adventure^{rs} and Officers of the Magazine should be warned agaynst Wedensday sevenight to meete at m^r fferrars howse. and to haue the Acc^o ready to be deliuered in vpon their Oath.

It was moued by mr. Th^{er} that the Court would take into considera^{con} to appoint a Comittie of choice Gentlemen, and other of his Ma^{ty}s Counsell for Virginia concerning the Colledge; being a waighty busines, and so greate, that an Account of their proceedings therein must be giuen to the State. Vpon §w^{ch}§ the Co^{rt} vpon deliberate considera^{con} haue reco^mended the care thereof vnto the Right wo^r S^r Dudley Diggs, S^r Iohn Dāuers, S^r Nath: Rich, S^r Io: Wolstenholme, m^r Deputy fferrar, m^r D^r Anthony, and m^r D^r Gulson to meete at such time as m^r Treasurer shall giue order therevnto.

fforasmuch as the standing Lawes and orders concerning the gouernment of Virginia being finished by the Committee to whome they were recomended, and passed the seuerall Ceremonies according to the

orders of the Company, It was moued that the second Comittee for the setting of Lawes & Magistracie might be summoned by the Officer to meete at S^r Edwin Sandis his howse vpon ffriday morning next at eight of the Clock, and there to deuide the busines amongst themselues as they shall see cause: W^{ch} the Court thought very convenient, and haue allowed thereof.

Also vpon a mo^{con} of the Susans voyage to be audited, and the complaint of the Generallity in some abuse offred by the Ioint stock to be rectified; The ordinary Audito^{rs} are warned to meete therevpon vpon Munday morning at eight of the Clock at m^r Treasurers howse.

It was agreed vpon the mo^{con} of S^r Dudley Diggs and S^r Thomas Gates vnto the Court about a Pattent to be graunted vnto sundry Kentishmen, who would seate and plant themselues in Virginia, that they should haue as Large priuiledges and imunities as is graunted to any other in that kinde.

Vpon the peti^{con} of Iohn Woodlief gentleman (who disbursed 62—10—00 eleauen yeares since, and the like time spent in the Planta^{con} in the place of Ensigne[]) to haue a Pattent graunted him and his Associats whereon to plant the number of 200 persons to be transported into Virginia before the end of Six yeares next Coming, and to haue the like priuiledges to him and his Associats, in lieu aswell of his said Adventure and personall allowance, as for other his Associats who haue adventured of old: W^{ch} the Court hath now graunted vnto him. [16]

Whereas vpon a former order, it was agreed to pay interest for a some of mony in the Companies hand^e during the minority of one Katharine Bath to whome the mony doth belong. The Court vpon better considera^{con} now finding it not convenient to pay Interest haue agreed to reverse the said order & to ||pay|| the mony where it is due.

The Court being acquaynted of one m^r Robert Browne who adventured wth the Lo: Lawarr 25th and went himselfe in person to Virginia, and there dyed, haue now agreed wth the consent and liking of the

Lady Lawarr that the [said 25^{li}]¹ shalbe deducted out of the 500^{li} adventure of my Lord℄, and so [that * * * * r]² be giuen to the Bookeeper for the defaulting of it out of the said 500^{li} adventure, & passing it to the said Robert Browne by a bill [of A]dventure in his owne name. And moreouer haue agreed that for his personall Adventure he shall (according to the orders of the Company) haue 100 Acres of Land.

JUNE THE 24th 1619

PRESENT

The Right hono^{ble} The Ea. of Warwicke.

S^r Edwin Sandis Kn^t Th̄rer.

S ^r Io: Dāuers.	m ^r Rich: Tomlins.	m ^r Rich: Morer.
S ^r Stephen Dowle.	m ^r Anthony Abdy.	m ^r Geo: Smith.
m ^r Io: Wroth.	m ^r W ^m Caninge.	m ^r Geo: Chambers.
m ^r Ferrar Dp ^t .	m ^r Edw: Ditchfield.	m ^r Rich: Berblock.
m ^r Tho: Gibbs.	m ^r Robt Smith.	m ^r : Conell.
m ^r Ferrar Iunio ^r .	✓ m ^r Iadwin.	m ^r Meuerell.
	m ^r W ^m Essington.	m ^r Rich: Bull.

The order in the Last Court touching the generall Company not any way to ioyn or countenance the Defendant℄ against Capt Bargaue, here being some w^{ch} were absent at the Last Co^{rt}, and alleadging some reason why the said Company should not altogether relinquish the said Defendants, because the Generallity hauing a stock there, is therein interested as a perticuler Adventurer of the Magazine; W^{ch} point is referred vntill the Adventurers meete; At w^{ch} time it may be cleered whither the Adventurers shall ioyn in mayntaining that suite; [17]

¹ The manuscript is blotted so as to make this and the two following doubtful passages almost illegible.

² Probably *power* or *order*.

The Comittee by the Last Co^{rt} appoynted for the Colledge hauing mett as they were desired, deliuered now their proceedings, w^{ch} the Co^{rt} allowed of being this that followeth,

A note of what kinde of men are most fitt to be sent to Virginia in the next intended voyage of transporting One hundreth men.

A minister to be entertayned at the yearely allowance of fforty pound^e and to §have§ 50 Acres of Land for him and his heires for euer. To be allowed his transportaçon & his mans at the Companies charge, and ten pound^e imprest to furnish himselfe wthall.

A Captaine thought fitt to be considered of to take the charge of such people as are to be planted vpon the Colledge Land.

All the people at this first sending except some few to be sent aswell for planting the Colledge as publiq^h Land to be single men vnmarried. A warrant to be made and directed to S^r Thomas Smith for the paym^t of the Collecçon mony to S^r Edwin Sandis Th^rer. And that D^r Gulstone should be entreated to present vnto my Lords Grace of Canterbury such Letters to be signed for the speedy paying of the monies from every Diocesse, w^{ch} yet remaynes vnpayd.

The seuerall sortes of Tradesmen and others for the Colledge Land.

Smithes.	Potters.
Carpenters.	Husbandmen.
Bricklayers.	Brickmakers.
Turners.	

And whereas according to the standing order seauen were chosen by the Last Court to be of the Comittee for the Colledge the said order allowing noe more. And inasmuch as m^r Iohn Wroth is conceaued by some error to be left out, he is therefore now desired to be an Assistant vnto them and to giue them meeting at such time & place as is agreed of.

The Comittee for ||the|| settling of lawes and Magistracie in Virginia haue mett as they were desired and vpon examinaçon haue found diuers Lawes in the Ēres Pattents and good poynts in the Instrucçons

giuen by his Ma^{ty} vnder the Privy Seals w^{ch} wilbe a greate furtherance for the setling of the busines, purposing to take such paynes therein as to present them to the next Quarter Court and to that end (because [18] most in this Vacation time resolueth to goe into the country) haue devided it amongst them selues for the better preparing of it against their next meeting.

It was moued by mr. Th̄rer that a Comittee might be appoynted to call the officers of the Lotteries before them to sett downe a Cattle-logue what prizes remayne yet due and vnpaid that they may be discharged and one to be authorized to pay them to such as shall bring in their Ticketts, w^{ch} the Co^{rt} hath referred vnto the Auditors.

Also he moued that in regard of great somes w^{ch} is presently to be issued out vpon this voyage, and the extraordinary busines w^{ch} the Company from time to time imposeth vpon him, that a perticuler Th̄rer might be appointed vnder him for the issuing out thereof, w^{ch} he [should] not deliuer wthout a warrant, nor the other should pay it forth wthout the like authority of a warrant to be giuen vnto him: W^{ch} the Court haue thought fitt, because he stands engaged for it, to referr it vnto himselfe, who therein hath made choice of m^r Deputy fferrar.

Stephen Sparrowes request for the personall adventures of ffower servants w^{ch} he sent to Virginia is referred to the Auditors vpon Munday morning.

William Shackley of London Haberdasher assigned to Oliuer S^t Iohn Two shares in Virginia.

Also M^{rs} Millisent Paulsden assigned to the said Oliuer S^t Iohn three shares in Virginia, w^{ch} the Co^{rt} haue now allowed of: Prouided that shee come into the Co^{rt} or make her Certificate of her allowance therein wthin this Twelue Moneths.

A controuersy arising amongst the Adventure^{rs} of the Magazine for their place of meeting, it being made knowne that m^r Aldrian Iohnson who is the Director thereof, desired it might be at S^r Tho: Smiths, by

reason he was one of the greatest and principall Adventurers and not well able to goe to any other place: but forasmuch as there is a standing order, that so long as the generall Company hath an Adventure in any Ioint stock, their meetings shalbe where the Generall Co^{rs} is kept: m^r Th̃rer and Deputy insisted strongly for the mayntayning of the said Order, insomuch that it was answered that it were better a little to dispense wth that said order, then a Generall ffac̃on thereby should be raysed betwixt the Company and adventurers: w^{ch} was answered by m^r Th̃rer that he sawe no reason to feare any such ffac̃on: but for his part if the Adventurers would repay to the Generall Company their Eight hundreth pounde they haue paid into the Magazine, they might meete in what place they pleased, and that might be done wthout breach of order, till then he was sworne to mayntayne the orders and lawes of the Company vnlesse they shalbe disanulled by the same wayes and meanes that they are [19] confirmed. But much dispute growing herein, and the Counsell all save o[ne] hauing deliuered their opinions to mayntayne the order, It was at length agree[d] that the said Adventure^{rs} of the Magazine should be warned to meete here vpon Munday next in the Afternoone at the Generall Co^{rt} to performe such things as in the Last Quarter Co^{rt} had beene ordered, concerning the Magazine and the officers thereof.

JUNE THE 28th 1619

PRESENT

Right honorable The Earle of Southampton.
The Earle of Warwick.

S ^r Edwin Sandis Kn ^t .	Thřer.	
S ^r Iohn Dāuers.	m ^r Thorpe.	m ^r Morer.
S ^r Edw: Harwood.	m ^r Tomlins.	m ^r Couell.
S ^r Nath: Rich.	Capt Argoll.	m ^r Swinhowe.
m ^r Aldřan Iohnson.	m ^r Essington.	m ^r Darnelly.
m ^r Iohn Wroth.	m ^r Antho: Abdy.	m ^r Wiseman.
m ^r Xo Brooke.	m ^r Cartwright.	m ^r Berblock.
m ^r Morrice Abbott.	m ^r Wheatly.	m ^r Iadwine.
m ^r Ferrar Dpt.	m ^r Barber.	With others.
	m ^r Chambers.	

Vpon reading the last order in the last Court, touching the place of meeting of the Magazine Adventurers, m^r Thřer signified to the Co^{rt}, that by reason of such contrary desires to meete a part, they could haue noe meeting wth the Adventurers at all, and therefore shewed two reasons that might induce them not to fly from the standing order: One, that the Generall Company hath twice as greate an Adventure therein, as any of the greatest perticuler Adventurers: And the other, that hetherto from time to time, their meetings haue beene at the same time and place, where and when the generall Court^e hath beene kept, sauing onely twice: W^{ch} was replied by m^r Aldřan Iohnson Director of the Magazine, that it could not be soe convenient to meete togethe^r as in meeting a part; because at such meeting $\frac{1}{3}$ wilbe of the Generality, but if it be for the mayntayning of the Standing order, that their meetings should be both in one place; it was not unknowne, but that S^r Thomas Smith hath offred his howse for them at any time to sitt in, who being a great Adventurer was worthy to haue a voice [as] ||stet|| occasion serueth amongst them; and the rather that he

and some others was engaged to the Chamber of London for one thousand pounde, w^{ch} if they pleased to cleare them of that bond, he would consent to meete where they pleased. W^{ch} was answered by m^r Th̄rer, that one reason why they should be vndeuided, was, that from time to time they might receaue their authority from the Generall Co^r^{ts}: and m^r Aldřan well said, they were not tyed to a perticuler place of meeting, therefore he would be willing (if the Court should soe like of it) that they should meet sometimes at S^r Thomas Smiths, at such time as S^r Thomas Smith should haue occasion to desire to be present. And for the 1000^{li} w^{ch} S^r Thomas Smith, S^r Iohn Wolstenholme, and m^r Alderman Iohnson standeth bound he held it not convenient to haue any Diuident till that were paid. Wherevpon many in the Court agreeing in opinion wth him, it was desired to be [20] putt to the question; w^{ch} being propounded, whither the Thowsand pounde should be paid, that is at interest at seauen p Cent or that the Vndertakers should remayne in bonde, and a Diuident be made the Adventurers, by erecōon of hande was concluded, that the said vndertake^{rs} should be released, by repaying the said some of 1000^{li} into the Chamber of London before there should be any Divident.

Next was moued by M^r Th̄rer the prosecuting of the Proposiōon agreed of in the Last Quarter Co^rt, w^{ch} was, that the Magazine should imitate the order of the Company: ffirst that Officers should be yearely chosen and sworne & that §an§ a true Acc^o should be deliuered in vpon their Oaths. And first taking into consideraōon the choice of their Directo^r, it was propounded whither they would haue one or two, w^{ch} was agreed to haue but one; and m^r Aldřan Iohnson being therevnto nominated and putt to the question, was by erecōon of hande confirmed. Likewise to be assisting to m^r Director, choice is now made of fiue Comittees, viz^{tt}, m^r Essington, m^r Rich: Morer, m^r Edward Ditchfield, m^r Richard Caswell, and m^r Berblock. And for Auditors m^r Abraham Cartwright, M^r George Chambers, M^r Henry Briggs and m^r Richard Wiseman, who are desired to be at the next Court to take their oaths: and also against that time an exact Account be giuen of the State of the Cash, & what debts is owing, that (if it may be) halfe a Capitall may be deuided amongst the Adventurers.

And it was also by m^r Th̄er desired that the 340^{li} w^{ch} the Magazine oweth to the Generall stock may be forthwth paid, he hauing such extraordinary occasion to vse mony for the setting out the shipp agreed to be sent, and what cann be proued either by order of Co^{rt}, or otherwise to be due vnto them they shall haue it paid, and therefore when the Auditors now chosen for the Magazine shall haue seene into the Accounts, they would repaire to the Generall Auditors at his howse to conclude the differences vpon Tuesday seauennight at two of the Clock in the afternoone. And against that time did also request that they would giue themselues vnderstanding of the first Magazine sett out in the Susan, that the Generall Stock may receaue the mony due vnto them vpon that voyage, and that the Account may be cleered without further delay.

M^r George Chambers in the behalfe of Martins Hundred desired the Company to make examinaçon of some abuses offred to their Corporaçon by the M^r and Marriners of the Ship, as also to rectify some wrong done vnto them by the Capemerchant: Wherevpon the Court was pleased to call before them the Marriners, administring vnto them an Oath to answeere vnto such Interrogatories as shalbe lawfully demaunded of them touching Martins Hundred: w^{ch} done the examinaçon thereof was referred to two of the Counsell and two of the Company, viz^{tt}, to m^r Aldran Iohnson, m^r Morrice Abbott, & m^r Abdy and m^r Cartwright. And for wrong donne by the Capemerchant, it being not their case alone that complaynes, It was agreed that a ðre should be written from the Counsell to S^r George Yeardley, and that M^r Chambers and others [23]¹

findeth none soe fitt and convenient for them as m^r Deputy fferrars, if it pleased him to let the Company haue her, there being Cabbins and euery thing in a readines. But inasmuch as a Publique impu-
taçon was Laid vpon him in the disputing of men to be sent to the Colledge Land, in saying that he had some priuate endē in solliciting it soe hard; he therefore desired to be excused, and that they would prouide some other, Least in performing their desire he should drawe

¹ Pages 21 and 22 are missing from the manuscript. The catch word at the end of page 20 is "deliuer."

some malignity therein vpon himselfe: but being vrged therevnto by the Co^rt, who generally cleering him of that imputa^on he hath (through the good he wisheth vnto the Company) condescended to their request, and referred it to the Comittees to allowe him for ffraight what they shall thinke good.

JULY THE VIJth 1619

BEING PRESENT

The Right honorable The Earle of Warwick.

S^r Edwin Sandis Kn^t Th^{er}.

S ^r Dudley Diggs.	m ^r D ^r Winstone.	m ^r Ed: Scott.
S ^r Tho: Gates.	m ^r D ^r Anthony.	m ^r Geo: Swinhowe.
S ^r Iohn: Dāuers.	m ^r Tho: Gibbs.	m ^r Tho: Kightley.
S ^r Nath: Rich.	m ^r Robt Offley.	m ^r W ^m Palmer.
S ^r Tho: Wroth.	m ^r Rich: Rogers.	m ^r Wiseman.
m ^r Ald ^r an Iohnson.	m ^r W ^m Caninge.	m ^r Lewson.
m ^r Iohn Wroth.	m ^r fferrar Iunio ^r .	m ^r Iadwine.
m ^r Iohn fferrar Dept.	m ^r Essington.	m ^r Meuerell.
m ^r Geo: Thorpe.	m ^r Hen: Briggs.	m ^r Roberts.
		w th others.

The Magazine Shipp being returned from Virginia, and a Packett of wrightings receaued from Abraham Persey the Capemerchant, but not any ĩre yet receaued from S^r George Yeardley the Gouverno^r, the same was now presented to this Court, where in the Packett was conteyned a generall ĩre to the Adventurers, an Invoice of the goodē now come home, a bill of Lading, a certificate of the misdemeano^r of one Showell who was sent to assist the Capemerch^t, a note of such goodē as the Country standeth in need of, an Invoice of the goodē w^{ch} was Landed by the George 1617, An account of the same goods, two bills of Ex^{ch} to S^r Iohn Wolstenholme, and a note of mony w^{ch} the Marriners oweth to the said Adventurers.

The Generall Ire being now read, It was moued by m^r Thřer, that 2 pointē especially therein might be taken into consideraçon;

1. Whither it be convenient that libertie be giuen to the CapemERCHANT according as he desireth to barter and sell the Commodities as he cann and as is vsuall in free trading: As also liberty to the Inhabitants there to barter and sell their comodities.

2. That as he writeth he is ouercharged wth aboundance of needles Commodities, and wanteth Ploughes and other necessities, w^{ch} he hath often writt for, that it may be thought of how to be remedied. [24]

To w^{ch} purpose, the Court haue now appointed ffower of the Counsell, 2 of Smiths Hundred and 2 of Martins Hundred, viz^{tt} of the Counsell S^r Tho: Gates, m^r Iohn Wroth, m^r Deputy fferrar and Capt Argoll; ffor Smiths Hundred, m^r Thomas Gibbs and m^r Robt Smith; ffor Martins Hundreth, m^r Geo: Chambers, and m^r W^m Caninge, who together wth the Director and Comittees for the Magazine are desired to meete too morrow in the Afternoone at m^r Treasur^{rs} howse to consider of these Two points, & to pervse the writings, that care may be taken to redresse what is amisse.

Next according to an order made in the Last Court, m^r Thřer required of the Officers then chosen for the Magazine, such Acc^o as was then comitted to their care to be perfected, and brought in as vpon this day at the furthest: but perceauing that m^r Essington was gone and that noe Account could be presented, being some thing moued that from time to time they should be putt of and could haue neither paid the money w^{ch} appeareth to be due to the Company, nor that they would meete to audite the same, addressed himselfe to m^r Alderman Iohnson as Director thereof, saying, he would complaine to the Lordē of the Counsell of it, or comence suite against him. Wherevpon m^r Alderman conceauing as he afterwardē said he had threatned him in his owne person, replied, that he durst not, wth some other angry wordē he then vttered; w^{ch} some of the Counsell tooke excepçons at, saying, the Court was very much wronged by it, and that if it were suffered to haue the Treasuror so vsed, there would be noe respect given vnto him, to w^{ch} the Court consented: And m^r Thřer for his part affirmed, that he did not meane m^r Alderman otherwise then as

||he was|| Director of the Magazine, & when he spoke of himselfe he meant the Virginia Company: Which being putt to the question, whither the Court vnderstood that he spoke perticularly of his person, or of the Adventurers of the Magazine, it was by most voices affirmed, that they vnderstood in speaking to him, that he ment of the Magazine Company: And because it should not passe wthout some reproofe or acknowledgm^t of his part of an error, for preventing the like hereafter soe neere as may be; It was moued by m^r W^m Caninge, that the Co^{rt} might presently decide it; and afterward vpon putting the question, by generall erec^on of hand^e agreed that the Counsell now present being the Ea: of Warwicke, S^r Thomas Gates, S^r Iohn Dāuers, S^r Nath: Riche, m^r Iohn Wroth and m^r Deputy fferrar should meete too morrow morning at my Lo: of Southamptons, and they together wth his Lō^p to consider of m^r Aldermans words and to censure him accordingly.

And because the Court could not now haue the meanes to end the differences depending betweene the Company and the Magazine Adventurers, it was desired that m^r Th^rer would please to giue order for an extraordinary Court for the determing (if it may be) [25] of the same: who hath appointed, that vpon Tuesday next in the Afternoone the Company and Officers of the Magazine be warned to meete at S^r Thomas Smithes.

M^r Alderman Iohnson being formerly chosen Director of the Magazine did now disclayme the same; but wthall promising that he would assist the Comittees thereof in any thing he might; but to be the Director he would not.

JULY THE 13th 1619

A COURT HELD FOR VIRGINIA AT SIR THO:
SMITHS HOWSE IN PHILPOTT LANE.

Present the Right Hono^{ms} The Earle of Southampton.
The Earle of Warwicke.

S^r Edwin Sandis Kn^t Th^rer.

S ^r Tho: Smith.	m ^r Hen: Reignoldē.	m ^r Hen: Briggs.
S ^r Tho: Wainman.	Capt S: Argoll.	m ^r Wiseman.
S ^r Tho: Gates.	Capt N: Butler.	m ^r Couell.
S ^r Nath: Rich.	m ^r fferrar iunio ^r .	m ^r Geo: Smith.
S ^r Io: Wolstenholme.	m ^r Ri: Rogers.	m ^r Bereblocke.
S ^r Tho: Wroth.	m ^r Ro: Bateman.	m ^r Roberts.
m ^r Ald ^r an Iohnson.	m ^r Edw: Scott.	m ^r Cranmer.
m ^r Iohn Wroth.	m ^r Rich: Bull.	m ^r Kightley.
m ^r Xo Brooke.	m ^r Geo: Chambers.	m ^r Shepherd.
m ^r Geo: Sandis.	m ^r Swinhowe.	m ^r Melling.
m ^r Geo: Thorpe.	m ^r Paulson.	m ^r Sparrowe. etc.
m ^r fferrar De ^p t.	m ^r Rich: Caswell.	
m ^r Tho: Gibbs.	m ^r Caninge.	
m ^r D ^r Anthony.	m ^r Ri: Moorer.	

The busines by the Last Court referred vnto the Counsell touching some vnseemely wordē giuen by m^r Ald^ran Iohnson vnto m^r Th^rer to be censured by them, they hauing mett as they were desired, and thereon considered, did now deliuer their conclusion into the Courte, where after a long disputa^con and reproofe of the offence comitted by m^r Alderman, & a generall cleering of m^r Th^rer by erec^con of [26] handē and euery mans testimony of the scandall imputed vnto him by m^r Alderman, that he should wrong any of the Company by vndecient language; It was agreed that for preventing the Like abuse to the Th^rer hereafter, the former Comittees, that is to say, the Lord of Southampton,

the Lo: of Warwick, S^r Io: Dāuers, S^r Tho: Gates, S^r Nath: Rich, m^r Io: Wroth, m^r Geo: Thorpe, and m^r Deputy fferrar to whome this busines was formerly referred, now adding vnto their number S^r Io: Wolstenholme, S^r Tho: Wroth, should sett downe in writing to be entred in the Court bookes the iustificaçon w^{ch} the Court hath giuen to mr. T^rer; And should wthall propose to the consideraçon of the Court the forme of some strict Lawe for the preventing of the like wrong and abuse in future tyme.¹

There was also presented to the Court by the Audito^{rs} and there openly read this writing ensuing;

Whereas it hath appeared plainly that during the time, that m^r Alderman Iohnson was both Deputy of the Company and Director of the Magazine diuers great somes haue beene wrongfully converted from the Cashe of the Company § to § the vse and Cashe of the Magazine, as namely the some of =341=13=4= of the Companies money was in May—1617—converted to the buying of goodē for the Magazine w^{ch} were sent in the George, and received by the Capemerchant, and returned in his Acc^o wth the gaine of—85—8—4—And moreouer in October—1618—the Companies Tobacco growing in their Coffon garden was sold to m^r Abraham Chamberlaine for One hundreth three score and sixteene poundē; and that some paid into the Cash of the Magazine. And whereas also there are diuers reciprocall demaunds made both by the Company and the Magazine for persons and goodes interchangeably transported by each for other: W^{ch} Account wee the Auditors for the Company haue beene on o^r parts att all times desirous and ready to audite; but haue found noe correspondency nor disposition to the same in the Officers for the Magazine, notwithstanding o^r often requests and diuers orders of Courts, w^{ch} they haue neglected and broken and doe soe still persist: fforasmuch as it is very apparent vnto vs, that there is a great some of money of right due to be paid by the Magazine to the Company, wthout w^{ch} there is noe meanes for the setting out of this shipp now prepared for the transporting of One hundreth men for Generall service: And wee haue done o^r vtmost endeauo^r therein w^{ch} hath proued fruitles: Wee are inforced according to the duty of o^r places to present the consideraçon hereof to yo^r wisdomes, that some further course may be taken for doing right to the Company, and advancing the Coffon service thereon depending.

Subscribed: IOHN DĀUERS: IO: WROTH:

IOHN FFERRAR. THO: KEIGHTLEY.

HENRY BRIGGS and RICHARD WISEMAN. [27]

¹ Some papers on this committee are given in the List of Records, Nos. 112, 113, pages 133, 134, *ante*.

This being deliuered by the Audito^{rs}, and wth all the Acc^o betweene the Company and Adventurers, which by the helpe of the Courtbooke (haueing examined it thorough) they haue finished; there onely resteth for the Court to decide, that if they will allowe of sundry transporta^{co}ns of men, by former orders in the said booke not men^{co}ned, that then there wilbe One hundreth pound[℥] lesse for the Company to receaue: But it growing late it was agreed, and that the Shipp should be noe longer stayde, that m^r Th^rer should make vse of the Three hundreth pound[℥] due vnto the Magazine by the Adventurers of Smiths hundred, and that the Account betweene them shalbe forthwth audited: To w^{ch} purpose my Lord of Southampton hath promised his assistance vpon ffriday morning next at Sir Thomas Smiths howse, at w^{ch} time m^r Alderman, together wth m^r Essington, m^r Abraham Chamberlaine, m^r Richard Moorer and m^r Berblock, are appointed to ioine wth the Audito^{rs} of the Company and so to decide the Controuersy.

fforasmuch as the Collector for Tobacco refuseth to deliuer the Tobacco now come home, vnlesse the Company will pay twelue pence custome vpon euery pound weight, w^{ch} is double aboue the booke of rates, the same being but six pence, and also being freed by his Ma^{ty}es Patents of Impost and Custome sauing 5 p Cent: It is now agreed, that a Peti^{co}n shalbe drawne to the Lord[℥] Comissioners of the Treasury, and haue desired my Lo: of Warwicke, S^r Nath: Riche, m^r Ald^ran Iohnson and m^r Brooke to attend their Lo^{ps} vpon ffriday next in the Afternoone for the cleering of the same.

It was moued by m^r T^rer, that in regard the time of the yeare passeth away, and most of the Company retireth themselues into the Country, and as yet a great deale of busines is to be performed before the departure of the Shipp, that a Comittee might be appointed to meete euery day for the dispatch of the same, and that the Generall Courts be dissolued till Michaelmas terme, vnlesse there be an extraordinary occasion, that m^r Th^rer or m^r Deputy call an extraordinary Court; Which being approued of by the Court, there were nominated S^r Iohn D^auers, m^r Deputy, m^r Alderman Iohnson, m^r Iohn Wroth, m^r Tho: Gibbs, m^r Geo: Thorpe, m^r Cranmer and m^r Chambers to meete at m^r T^rers for dispatch of those businesses.

M^r Deputy acquainting this Court, that the Committees hauing mett, and devided the busines amongst themselues for the speedier sending away of this shipp; in w^{ch} as some of them are to be [28] comended by performing the charge comitted to their trust; so there are some to whome the care of buying apparrell was comitted, whose part of them being out of Towne, the rest haue failed therein; in whose steed^e he desires, that some other might be appointed to performe that trust; to w^{ch} by the Court is appointed m^r Cranmer, m^r Bull and Thomas Mellinge.

All such Bills of Exchange as were now sent from Abraham Persey the Capemerchant concerning the Magazine amounting to Eighte hundreth pound^e specified in his Letters, is by the Adventurers thereof this present day accepted to be paid from this present at the determination of the time in the seuerall Bills specified.

The Committees for the Magazine are intreated by this Court to vnder-take for the cleering of these good^e now come home in the Willm and Thomas; for the which it is now ordered, that they shalbe saued harmeles.

It was now ordered, vpon the request of S^r Tho: Wainman, & vpon certificate to the Court from the Lady Lawarr, that shee was content soe farr to satisfy the desire of the said S^r Tho: Wainman and S^r Iohn Tasborough, wthall desiring the allowance of the Court, that such men as shall appeare to haue beene transported by the Lo: Lawarr for the said Sir Tho: Wainman & S^r Iohn Tasbrough, & at their proper costs and charge may be free at his or their disposing to be remoued & planted according to their discreçons vpon such shares as shalbe by Pattent graunted vnto them, for the w^{ch} her Lāp is content, that there shalbe a ratable deducōn made out of the proporōn of Land^e already graunted and allowed, or hereafter to be graunted & allowed vnto the said Lo Lawarr for his Adventures: And that the Charter pt w^{ch} his Lo^p entred into may not extend to the Losse and preiudice of them. It being noe part of his Lo^p or Lads^p meaning they should suffer for that his Lo^p stood engaged, and therefore resteth in her Ladishipp to see satisfied; W^{ch} was also now confirmed by erecōn of hands. [29]

JULY THE 21th 1619

A COURT HELD AT M^r ffERRARS HOWSE IN
ST SYTHES LANE, BEING PRESENT

Right Honor^{ble} Henry Earle of Southampton.
Robert Earle of Warwicke.

S^r Edwin Sandis Kn^t Th^rer.

S ^r Tho: Smith.	Capt S. Argoll.	m ^r ¹ Shepherd.
S ^r Tho: Gates.	Capt D: Tucker.	m ^r Edw: Scott.
S ^r Edw: Harwood.	Capt N: Butler.	m ^r Tho: Couell.
S ^r Iohn Wolstenholme.	m ^r Ni: Leate.	m ^r Dan: Darnelly.
m ^r Aldřan Iohnson.	m ^r Stiles.	m ^r Robt: Smith.
m ^r Xõ Brooke.	m ^r Clitherowe.	m ^r Geo: Smith.
m ^r Morrice Abbott.	m ^r An: Abdy.	m ^r fferrar iunio ^r
m ^r Io: fferrar Deřt.	m ^r Robt. Offley.	m ^r Geo: Chambers.
m ^r Tho: Gibbs.	m ^r W ^m Palmer.	m ^r Balmford.
m ^r Do ^r Gulstone.	m ^r Caning.	m ^r Paulson.
	m ^r Hen: Briggs.	m ^r Woodall.
		m ^r Meuerell. etc.

There was at the sitting downe of the Court by an vnknowne person
presented to m^r Th^rer the Letter following;

To S^r Edwin Sandis Th^rer of Virginia.

†
I H S

Good luck in the name of the Lord, who is dayly magnified by the experi-
ment of your Zeale and Piety in giuinge begining to the foundaçon of
the Colledge in Virginia the sacred worke soe due to Heauen and soe
“Longed for one earth, Now knowe wee assuredly that the Lord will doe

¹ A blank space in the manuscript.

you good, and blesse yoⁿ in all your proceedinge even as he blessed the howse of Obed Edom and all that pertayned to him because of the Arke of God, Now that yee seeke the kingdome of God, all thinges shalbe ministred vnto yoⁿ;" This I well see already, and perceiue that by this your godlie determinacon, the Lord hath giuen you "fauour in the sight of the people, and I knowe some whose hearts are much enlarged, because of the howse of the Lord our God to procure yo^r wealth," whose greater [30] designes I haue presumed to outrun with this oblacon w^{ch} I humbly beseech yoⁿ may be accepted as the pledge of my Deuotion and as the earnest of the Vowes "w^{ch} I haue vowed vnto the Almighty God of Iacobb concerning this thing," W^{ch} till I may in part performe I desire to remayne vnknowne and vnsought after.

The thinges are these

A Communion Cupp wth the Couer and case.
 A Trencher plate for the Bread.
 A Carpett of Crimson Veluett.
 A Linnen Damaske table cloth.

M^r Alderman Iohnson reported, that according to the trust reposed by the last Court vnto himselfe and some others they had performed, by being wth the Lord^e Comissioners about the cleering of the Tobacco now come home agreable to the Pattent, whoe referred it to S^r Lyonell Cranfield and m^r Attorney Generall, but they being out of Towne, he desired that some other might now be appointed to attend the Lord^e agayne for the finishing thereof: Wherevpon the Court haue desired, the Lo: of Warwicke, S^r Tho: Gates, Capt Nath: Butler, m^r Clitherowe and m^r W^m Caninge to attend them at such time as ffrancis Carter shall giue them notice that they sitt.

Sir Iohn Wolstenholme moued the Court in the behalfe of Martins Hundred, that in consideracon of the Losse they haue sustayned by the Guift, w^{ch} they sett out, that they might haue shares in Virginia for euery—12—10—00 they haue therein spent: w^{ch} if the Court would please to graunte, it would encourage them to sett out ffifty men more in convenient time; which he desired might be putt to the question. To the w^{ch}, reply was made by S^r Edwin Sandis Threr, that hauing beene priuately acquaynted wth this mocon, and hauing throughly waighed it, he could not giue way vnto for fflower reasons;

1. ffirst it was contrary to his Ma^{ts} Tres Pattents;
2. Secondly it was repugnant to y^e Standing orders of the y^e Company.
3. Thirdly it failed of the very end it aymed at, for it was not any advancem^t to the planting of Martins hundred.
4. ffourthly it was preiudiciall & that in a high degree to the Generall Plantaçon, & to y^e strength, peace & prosperity of y^e Collony. [31]

He began wth thè second reason as being fresh in memory, & reading the Orders in the title of Graunts, he shewed, that all Land℥ were to be graunted either to Planters in Virginia by their persons, or to Adventurers by their purses, or by extraordinary merritts of service. That the Adventurers by their purses, were they onely and their Assignees, who paid in their seuerall shares of—12—10—to the Co^mon Treasure for the charges of transporting men to the priuate Lands of the Adventurers, there was also allowance made to them of 50 Acres the person. But noe further allowance for any such priuate expences as was now demaunded.

Then he came to the first reason, and shewed that these Orders were not newly deuised, but taken out of the Tres Pattent℥, namely the second & third; diuers passages of w^{ch} he there openly read, importing that the Land℥ in Virginia were to be deuided amongst the Adventurers by mony, or service and the Planters in person, and that he is to be reputed an Adventurer by money, who payeth it into the Companies Treasury, insomuch that if any man be admitted for an Adventurer, and haue paid in noe mony to the Co^mon Treasury, he is to be compelled thereto by suite of Lawe, yea though he neuer subscribed to any such payment, as is expresly sett downe in the Third Tres Pattent℥.

Thirdly he shewed, it was not beneficiall to them of Martins hundred in point of advantaging their perticuler Plantaçon, for the benefitt grew not by a bare title to Land, but by cultivating & peopling it so to reape proffitt, now of such Land it was in euery Adventurers power to haue asmuch as he pleased wthout any other payment: ffor if an Adventurer (for examples sake) who had but one share of One hundredreth Acres would send ouer Twenty men to inhabite & occupy it,

fewer at this day will not doe it, he was by the Orders allready established to haue for these 20 an addition of—1000—Acres of Land vpon a first deuision and as much more vpon a second; And if then he would also people his—1000—Acres wth Ten score men more, he were to haue another addition of—10000—Acres more vpon a first deuision and asmuch vpon a second, & so forward to what extent of Land himselfe should desire. On the other side to enlarge a mans right vnto new Land, and not to make vse and proffitt of the Old, were to increase a matter of opinion, rather then of realty, & a shadowe rather then a substance.

Lastly he said it was prieiudiciall to the Generall Plantacon in many points of ymportance; first in matter of strength for those titles to great extent of Land; so to keepe other from it, would be a great weakning to the Collony by disioyning the parts of it one so farr from another Vis Vnita Fortior.

Againe it would be a great discouragem^t to new perticuler Plantacons if either they must sitt downe of bad land, the best being all taken vp before in titles, or seeke a seate farr of remote from helpe and society: Besides whereas by the orders now established, men are to encrease their owne Lande there by transporting of people, and so by increasing the Collony in strength & multitude, the vertue and good intent of this Order wilbe defeated, if men may haue their Lande encreased wthout such transportacon, & onely by fauo^r & plurallity of voicē in Co^{rt}.

[32] Nowe as this mocon is prieiudiciall to y^e strength & encrease of the Plantation, so is it also to the peace thereof, good governmen^t and iustice: It is not iust that a man should be paid twice for the same thing; ffor the men transported they haue allready allowance of Land —50—Acres the person whither dead or liuing: And the Charges now spokē of was but in transporting those men. It is not iust, that things equall should be vnequally valued; As Martins hundred hath beene at great charges, so shaue§ diuers other hundreds, so haue also beene many perticuler persons, Captaine Bargraue alone hath bought and sett out diuers shippes; if besides the persons transported, he shall haue allowance of Land oueragaine for all his charges, perhaps he may take vp a great part of the Riuer: What may my Lo: Lawarr

doe? Sir Tho: Gates, and S^r Tho: Dale, besides a multitude of other who haue spent a Large porcion of their Estates therein and are not thought on; if all these men come in wth their Accounts for all their tyme, what a confusion & disturbance will ensue thereof? shall wee deny that to them w^{ch} wee allowe vnto o^r selues? or shall wee admitt of their demaund^e and sett them out Land accordingly? how then shall wee pceed in examining their Account^e? how may they be cleered? when would they be ended? this course is a Laborinth and hath noe issue.

He concluded, that he had allwayes fauoured the desires of Martins hundred; but for this perticuler, he would not approue it: Howbeit if men were not satisfied wth these reasons, he would be well content, that the matter might be referred to a Quarter Court, vnto w^{ch} it did more properly belong; and that in the meane time, it might be referred to the consideraçon of a Graue Comittie to be indifferently chosen out of the Generallity and Counsell.

Vpon this S^r Edward Harwood propounded, that for satisfacçon and encouragement of Martins hundred, there might be some quantity of Land bestowed vpon them by way of gratuity and seruice: w^{ch} was generally well liked, and the accomplishment thereof referred to the next Quarter Court, & in the meane time the matter should be prepared by a select Committee.

And whereas the said S^r Iohn Wolstenholme Long since Lent the Company at one time 300^{li} and at another time—100^{li}, and after a Long time receaued it in agayne by Litle somes; that therefore in consideraçon thereof, and that he receiued noe interest for the same, he moued, that the Court would recompence his kindnes by giuing him some Land; w^{ch} was now thought reasonable, if the qrt^r Co^{rt} (as they doe not doubt) shall allow thereof.

Vpon some dispute of the Polonians resident in Virginia, it was now agreed (notwthstanding any former order to the contrary) that they shalbe enfranchized, and made as free as any inhabitant there whatsoever: And because their skill in making pitch & tarr and sope-

ashees shall not dye wth them, it is agreed that some young men, shalbe put vnto them to learne their skill & knowledge therein for the benefitt of the Country hereafter. [33]

It was ordered vpon consideraçon that many principall men departeth the Court at or before six of the Clock, whereby the said Court is much weakned, that from henceforward they shall begin at Two, and end at six: after w^{ch} time nothing shalbe agreed of, or putt to the question: w^{ch} was confirmed by erecçon of hande.

The order of the Last Co^{rt} touching the dissolving of the Courts till Michaelmas terme, being now putt to the question, was ratified by Generall consent. And for the Magazine Adventurers, it was licenced for them to meete where they pleased till the Generall Co^{rts} began againe, and soe often as they shall see cause, or be invited by any occasion.

An Act of the Co^{rt} made Decimo quarto die Iunij 1619 concerning a Pattent graunted to Iohn Woodliefte Gent and his Associat^e is now by the consent of this Court, & liking of the said Iohn Woodliefte altered, & is to goe in the name of S^r Tho: Wainman & Associat^e: And is agreed vpon the request of the said S^r Tho: Wainman, that a tre of informaçon there of shalbe written to the Gouvernor, inasmuch as it wilbe the qrter Court in Michaelmas terme before it cann passe the seale, and that in the Interim he desireth land to be allotted, wherevpon to plant such men, as shalbe by him & his Associat^e sent or appoynted therevnto.

OCTOBER THE 20th 1619

PRESENT

S ^r Tho: Roe Kn ^t .	m ^r D ^r Gulstone.	m ^r Tho: Keightly.
S ^r Io: Dāuers.	m ^r Hen: Reignoldē.	m ^r Rich: Bull.
S ^r Tho: Gates.	Capt S: Argoll.	m ^r Rich: Wiseman.
m ^r Mo: Abbott.	m ^r Rich: Rogers.	m ^r Iames Berblock.
m ^r Io: fferrar D ^p t.	m ^r Hen: Briggs.	m ^r W ^m Palmer.
m ^r Tho: Gibbs.	m ^r W ^m Caninge.	m ^r Rich: Caswell.
m ^r Geo: Thorpe.	m ^r Geo: Swinhowe.	m ^r Roberts.
m ^r D ^r Anthony.	m ^r Nich ^o fferrar.	m ^r Tho: Melling.
m ^r D ^r Winstone.	m ^r ¹ Shepherd.	

It was made knowne by m^r Deputy that the time being expired, wherein during this terme of vacansye, the Generall Courts (according to order) haue discontinued; they are now to proceed againe in their due course every fortnight, this day moneth being a Generall qrter Court: And although m^r Treasurer be yet absent, the Company will finde at his coming vp next weeke, that he hath not beene wanting to the service of Virginia, but both his minde and time wholly employed in their busines; contēming² the meanes of sending large supplies of men and Cattle for Virginia this next Spring. [34]

A lre being sent from his Ma^{tie} directed to m^r T^rer and Counsell for the sending diuers dissolute persons to Virginia, w^{ch} S^r Edward Zouch kn^t Marshall will giue informa^con of; after the Counsell had p^rvsed the same, was brought to the boord and read to the Company, who considering there was noe present meanes of conveying them to Virginia, though fitt to reserue the full answer to his Ma^{ties} lre till the next Court, when wth the Lordē & m^r Treasurer it might be agreed how his Ma^{ties} Comaundē might most speedily and conveniently be effected: In the meane while S^r Io: Dāuers promised to acquaynt m^r Secretarie Caluert and S^r Edw: Zouch the reason that they gaue not p^rsent answer to his Ma^{ties} gracious lre.

¹ A blank space in the manuscript.

² For "contemplating."

Mr. Wiffm Caninge tooke occasion to expresse some kinde of griefe for the long want of Courts, in w^{ch} he had hoped of redresse in the point of what the Co^{rt} had ordered in the busines betweene him and his Associats defendants against Capt Bargraue in Chauncery, intimating that if the Courts had continued or might be kept at S^r Tho: Smiths he would not doubt of the whole Courts satisfacōn otherwise then had beene. Sir Tho: Smith and others appearing in the behalfe of him, and the defendants against Capt. Bargraue, but S^r Thomas could not & others would not come to this place; and therefore wished that this Court had beene or others might be at Sir Tho: Smiths who had soe freely and courteously offred his howse; and through his Long experience and good will to the Acōn, was able to doe the Company very extraordinary service: w^{ch} point^e concerning the abillities & courtesyes of S^r Tho: Smith were seconded by some others; but M^r Caning farther vrging the reconsideracōn of the Acte of Co^{rt} betweene him and his Associat^e and Captaine Bargraue, and vttering some speeches of discontent, that onely Gentlemen had beene named of the Comittee, desiring a new refference wherein Citizens might also be ioyned; he was told of his wonted manner of seeking to interpose difference betweene Gentlemen and Cittizens, a thing damned heretofore in Court as tending to onely to faction and disturbance of the peace of the Company: But for the matter of his moōn to haue it renewed againe in Co^{rt} where he might presume to produce other testimony, or parties that had not either notice or leasure to be present at the former proceedings, by w^{ch} he and his Associat^e had beene vniustlie preiudiced as he conceiued; Some was of opinion that his moōn was equitable; neuertheles it was held fitt, it should be referred to be moued againe at the next Court, w^{ch} should be like to be of a greater presence; Likewise wherein Capt Bargraue might be also heard what he might speake therevnto, least otherwise he might hereafter complaine & so keepe the Court impertinently imployed to order backward and forward, and euen in a matter twice ordered by a selected Comittee chosen by the Court, who had a chiefe regard vnto the case, as it appeares in the Court Bookes. [35]

NOUEMBER THE THIRD 1619:

BEING PRESENT

The Right Hono^{ble} The Lo: of Warwick.
Generall Cæsill.

S^r Edwin Sandis Kn^t Th̄rer.

S ^r Tho: Roe.	m ^r Geo: Sandis.	m ^r Tho: Keightley.
S ^r Io: Dāuers.	Capt Argoll.	m ^r Shepherd.
S ^r Harry Rainsford.	Capt Bargraue.	m ^r Edw: Ditchfield.
S ^r Tho: Wroth.	Capt Tucker.	m ^r Rich: Wiseman.
S ^r Nath: Rich.	m ^r Tho: Gibbs.	m ^r ¹ Bamford.
S ^r Law: Hide.	m ^r Rich: Tomlins.	m ^r Caswell.
m ^r Iohn: fferrar Dp̄t.	m ^r ¹ Steward.	m ^r Cranmer.
m ^r D ^r Gulstone.	m ^r Geo: Chambers.	m ^r Hen: Briggs.
m ^r D ^r Winstone.	m ^r Iohn Delbridge.	m ^r Ia: Berblock.
		m ^r Lewson, etc.

As in the last Court M^r Deputy acquaynted them of m^r Th̄rer so he being now present it pleased him to relate, that although to the time giuen him by the Companies orders he had beene absent yet he hath not beene idle to Virginia, as he will giue Accompt of: And therefore he had to offer to their consideraçon a Proposiçon for the inlarging of the Plantation in the publique. And first touching the Publiq, he shewed how farr the Company had allready proceeded. ffirst in Ianuary last there went ffifty men wth S^r George Yeardley to be Tenant℄ of the Gouvernors land, whereof there failed by the way two or three, and six were now remayning to him of Capt Argolls garde. Afterward in Aprill next twenty men should haue beene sent by Xofer Lawne vnto the Cōmon Land, but he deliuered but 15 because the Company performed not wth him, touching the Loane of Corne and Cattle as he expected: Then 4 more were sent in the Triall according to the

¹A blank space in the manuscript.

direccon of his Ma^{tie}. And in the begining of August Last, one hundreth more sent—50—to the Colledge Land and 50 to the Co^mon: And for one hundreth persons or thereabout w^{ch} appeareth to haue beene sent in these 2 or 3 last yeares at the Companies charges, S^r Geo: Yeardley writeth of but three to be found remayning for the Company; So that there is by this Account vpon the Co^mon Land 72 persons, 53 on the Gouvernors, and 50 on the Colledges: 175 in the whole. Therefore he proposed now to be considered of against the Quarter Court this day fortnight that there might be sent the next Spring 130 men more, w^{ch} will make those allready sent for the Gouverno^r Colledge, and Co^mon Land the full number of Three hundred, and so the Gouverno^r to haue 100 men w^{ch} will not be lesse worth then One thowsand pounde p Anⁿ as it is esteemed. As for the benefitt of their labors of the Co^mon Land, it standeth otherwise, for their moity is to be deuided betweene the Counsell and Officers there, [36] and for other publique vses, and betweene the Company here. ffor the Counsell who attende there, when the Gouvernor at all times shall please to call them, cannot neglect their busines wthout reward; soe likewise here, the Company may not expect, that although their Trer for the time past and p^{nt}e, as also the Deputies of late serue meerely out of their zeale and loue to the Ac^{con}, yet those that shall succee^de will happily expect a yearely gratifica^{con}, when the Company shalbe enabled by their Rents to yeild it. And for the Colledge, there is noe doubt but the benefitt ensuing will build it, and raise a Revennue for the mayntenance. He also thought it fitt to send 100 more to be Prentizes or Servants that the rest may goe on more cheerefully, wherein he hoped the citty would deale as worthily as heretofore. Lastly he wished that a fitt hundreth might be sent of woemen, Maid^e young and vncorrupt to make wives to the Inhabit^{nt}s and by that meanes to make the men there more settled & lesse moueable who by defect thereof (as is credibly reported) stay there but to gett something and then to returne for England, w^{ch} will breed a dissolu^{con}, and so an ouerthrow of the Planta^{con}. These woemen if they marry to the publiq^h ffarmors, to be transported at the charges of the Company; If otherwise, then those that takes them to wife to pay the said Company their charges of

transportaçon, and it was neuer fitter time to send them then now. Corne being here at home soe cheape and plentifull, and great prom-
ises there for the Haruest ensuing. Then to euey 100 men, he
aduised there might be sent 20 young Heifers w^{ch} wilbe Threescore,
and they wth their breed will soone store the Publique. He also
shewed, that the Inhabitants hauing had great ioy by the Charters of
Graunts and Liberties lately sent by S^r Geo: Yeardley, desired now to
haue choise men sent them from the Lowe Countries to raise ffortifi-
cations, whose charge they will beare, wherein my Lo: Generall
Cesills assistance was perticularly entreated. Then he spoke of the
way of transporting these persons, w^{ch} by reason of the intollerable
charge the Company is at by sending ships, that that course should
be left of and rather send by those that trade to Newfoundland at Six
pounde a man, w^{ch} wilbe found to be great ease vnto the Company;
but for the Catle a shipp must be sent on purpose, vnlesse a bargayne
may be made for them at 10^{li}— a peece, as he hath some hope giuen
him that it may be. The totall charge of all this, furnishing the men
reasonably wth all things requisite, will amount (as he hath computed
it) not aboue fflower thowsand pounde; And one thowsand more will
furnish them in best sort. Then how this mony shall come in, he
shewed how much the Company was bound to giue thanks to God for
all his blessings, who continually rayseth meanes for the supporting
of this worke, making mençon of one vnknowne Gentleman that hath
offred to send to him 500^{li}— for the converting and educaçon of
Threescore Infidells Children, whensoever he shall require the same
& vndertake that worke. And also that vpon his Ires he had receaued
adwertizement from sundry parts and some of them very remote, that
if they goe on wth this busines they shall not want for money. Like-
wise Gabriell Barbor [37] hath promised of Lottary monies to bring
in before the end of March 35 hundreth pounde, w^{ch} he intende accord-
ing to the promise made vnto the Lorde shall goe to noe other end but
the advancement of the Plantaçon. And for the Three thowsand
pounde, w^{ch} was spoken of when he entred to be T^rer he hath not as
yet receaued the whole, but as it cometh in, it shall all goe for the
payment of former debts and dueties, whereof he had discharged
aboue 2000^{li} allready, promising that he will not leaue the Company

one penny in debt by any Act to be done by him. And for the ratification hereof, he referred it to the quarter Court, onely now proposing it, that in the interim it might be considered of by the Company.

Next he acquainted, that the Counsell sitting this morning at my Lord of Southamptons, there were some motions made for y^e busines at home, one was concerning Tobacco in Generall, that the planting of it here would be the destruction of the Plantation, and therefore that the Company might be humble suitors for an inhibition thereof; but this was conceived might be a scandall for Virginia, as that it could not subsist without that weed, intending very shortly to sett in hand with Iron-workes, & the Country affording diuers other good comodities, as Silke, Silkegrasse, Corne, Vines, etc. And therefore it was thought better by the Counsell, forasmuch as the ffarmors of Impost had it on foote already that they proceed, and the Company as they see occasion to assist them. ffor the perticuler Tobacco of the Adventurers remayning in the Custome howse, he was desired by the Counsell to drawe a fre in their names, and to be signed by them, w^{ch} he promised forthwith to performe, to be addressed vnto the Kings Lernerd Counsell, shewing the priuiledges of their Pattent, and the Losse they haue sustayned by this extreame delay wth earnest request of present expedicion. And seeing that m^r Iacobb contrary to the priuiledges of their said Pattent; the Letter of his Ma^{ty} priuy Counsell in their behalfe, and the Adventurers offer to leaue halfe wth him, that they might obtaine the other halfe to sell away that it might not all perish, had reiected all motions and meanes of agreement, and in contempt of their Lo^{ps} Letter refused to deliuer it vpon those reasonable conditions sett downe by their Lps, that therefore he thought it very expedient (the Lordes consent being first obtayned) that the Company commence an Action of damages against him, the losse they haue receaued being estimated by many at—2500^{li}—w^{ch} motion so suted wth the desire of the Court (sauing that the Lordes consent was thought vnecessary) that for the rest they intreated it might be putt to the question: w^{ch} being done, and also propounding whither the suite shall proceed at the Common charge, being for the mayntenance of the Pattent, and the Magazine to appoint Sollicitors, was ratified by

erecōon of hande; The Court hauing now chosen for their Counsell, S^r Lawrence Hide and m^r Xofer Brooke; And to sollicite the cause m^r Tho: Melling for the Company, m^r Iames Berblock for the Magazine, and m^r Richard Caswell is entreated to assist them. [38]

According to the refference in the Last Court his Ma^{ty} Lre was now taken into most dutifull consideraōon, and it was agreed wth all convenience to fulfill his Ma^{ty} comaund, and to send them ouer to be servants, w^{ch} wilbe very acceptable vnto the Inhabitant^e, as m^r Th^rer hath vnderstood from them, and in the meane time till they may be sent, w^{ch} wilbe about Ianuary, M^r Treasuror shewed, that in like case the Lo: Maior had beene solicited to giue order for the keeping of them in Bridewell, w^{ch} was answered to be performed allready, and the Court desired m^r Treasuror to giue his Ma^{ty} an answere by m^r Secretary Caluert.

Mr Iohn Delbridge moōon for a Pattent to be graunted him and his Associats intending to transport—200—men was assented vnto and referred to the Auditors vpon Monday morning to haue his Pattent perfected.

Whereas m^r W^m Canings complaint the last Court was referred vnto this present to be heard betwixt Captaine Bargaue & him, he being now absent was by diuers now present censured to be a great disturber of the peace of the Company, & molester of the Courts wth matter of ffaction: Therefore when the Counsell meetes, that he be warned to attend them to receiue admoniōon and if that after he continue in his wonted byas, that then he be disfranchized according to a standing order in that behalfe.

And whereas formerly a seale for the Company called the Legall seale was referred vnto a Comittee to consider ~~it~~ ⁱⁿ what manner it should be, and nothing as yet done therein; It was agreed that M^r Clarentious be intreated to giue the Auditors sometimes a meeting at S^r Edwin Sandis, where they will deuise to take a Cote for Virginia and agree vpon the Seale.

fforasmuch as noe deuision of the Iointstock is yet made to the Adventurers, according long since to promise, nor any acc^o hether to presented (though often called for) whereby they may vnderstand the state of the busines, and other Accounts intermixed wth them be cleered; therefore vpon generall request of the Adventurers now p^{nt}e, it was agreed that the Counsell be entreated to take the busines into their hande, and to call the Officers of the Magazine before them to giue vp their Acc^o, as also to heare aswell the obiecc^ons of the Adventurers, as the answeres of the Officers, that soe right be done, and the differences Long depending may be freindly decided and ended: W^{ch} mo^oon was also extended to such accompts of the former Magazine as remayne yet vncleared. [39]

And although the Company is allready exceedingly behoulding to my Lord of Southampton for his many hono^{ble} fauo^{rs} & nobly countenancing them in all their businesses, and especially such as is of greatest importance; yet notwthstanding the Co^rt are most humble suitors vnto his L^op, that he would please also in these businesses of so great importance, and w^{ch} haue beene the onely cause of distrac^on and discention in the Company, to vouchsafe his presence at that meeting of the Counsell, that by his Lo^{ps} and their authority, those differences might be concluded, the Comp^y satisfied in their right, and all occasion of continuing iealousies and displeasures be remoued: W^{ch} mo^oon being made by m^r Th^rer was by Generall erec^on of hande confirmed noe one dissenting.

M^r Th^rer also moued, that Captaine Bargraue should be desired by the Court, that at leastwise after the examina^on of his witnesses (vpon w^{ch} he resolutely insisted) he would then be content to referr the Controuersy betweene him and some other of the Company, to be heard in like sort and arbitrated by the Counsell, that so all cause of scandall and discord amongst the Company might haue an end: Vnto w^{ch} Captaine Bargraue gaue his consent, and the same was generally well approued of by the Court.

NOVEMBER THE 15th 1619

A PREPARATIVE COURT HELD FOR VIRGINIA AT
M^r fferrars howse IN S^r SYTHES LANE. PRESENT

The Right Hono^{ble} { The Lo: of Southampton.
The Lo: Cauendish.
The Lo: Pagett.

m ^r Treasurer.	m ^r D ^r Winstone.	m ^r Swinhowe.
S ^r Tho: Roe.	Capt: S. Argoll.	m ^r Wiseman.
S ^r Io: Dauers.	Capt Bargraue	m ^r Couell.
S ^r Tho: Wroth.	m ^r Ruggell.	m ^r Cranmer.
S ^r H: Rainsford.	m ^r Aug: Steward.	m ^r Berblock.
S ^r Nath: Rich.	m ^r Shepherd.	m ^r Smith.
S ^r Io: Wolstenholme.	m ^r Bamford.	m ^r Chambers.
S ^r Anth: Aucher.	m ^r Keightley.	m ^r Boothby.
S ^r Ro: Winchfeild.	m ^r Briggs.	m ^r Bland.
m ^r Geo: Sandis.	m ^r Meuerell.	m ^r Melling.
m ^r Io: fferrar Dpt.	m ^r Lewson.	m ^r E: Roberts. etc.
m ^r D ^r Anthony.		

M^r T^rers proposiçon at the last Court being now read and considered of, S^r Iohn Wolstenholme intimated, that for his part [40] he liked them very well, but wthall moued that some of the Company might be appointed by the Court to examine whither the monies to come in, would be sufficient to doe this, and to leaue some remayning in the Treasury to defray such charges as either by his Ma^{ty} comaund for the sending ouer such men as he shall write for, or otherwise may accidentally happen. Wherevnto was answered, that these Propositions had beene formerly proposed to the Counsell at Southampton howse, where they were generally aproued to be beneficiall and

advantageous for the Plantacon, And therefore not fitt they should be reassumed from thence to a priuate Comittie, Esteeming the Counsell the chieftest Committee could be chosen. Also mr. Trer to the generall satisfacion of the whole Court made this answere, that for those numbers to be settled on the Comon, Gouvernors and Colledge Land, he would not leaue the Company indebted one penny: As for former debts he had allready paid aboue 2000^{li} towardē discharging of them, and a 1000^{li} he would pay when it came in, w^{ch} was asmuch as was left vnto him, doubting not but that the yearely comodities coming out of Virginia, would henceforward defray all accidentall charges; it hauing beene truly alleadged before, that the planting and peopling of the Companies Land was the surest way to bring in Revennue. It was alsoe answered by others, that all that was in Cashe was but to be imployed to the advancem^t of the Plantacon, and that there could be noe better worke to further that then this, nor nothing more hurtfull then to leaue vnperformed those designes & workes w^{ch} themselues are certaine and good, for things accidentall and vncertaine; So as noe man further opposing, The former Obieccon vanished. And it was moued by my Lo: of Southampton, that the Court hauing now heard the Proposicons read, if they made scruple of any thing, that it might be now debated at full against the Quarter Court. But noe man either seconding the former, or raising any new obiection, the Proposicons rested wth generall approbacon of the Court.

Touching the Legall seale spoken of in the last Court, the Auditors at their Assembly haue therein taken some paynes, w^{ch} they now presented to this Courte: And whereas they had spoken to one for the cutting of it, there is one m^r Hole who would appropriate that vnto him selfe vnder pretence of hauing a Pattent for the engrauing all seales, w^{ch} hath the Kings Armes or any part thereof, w^{ch} he now presented to the Court, and m^r Trer perusing the same, found, that it was for the Kinges armes, but not for any part thereof, and therefore appointed them to repaire to m^r Xofer Brooke of Lincolnes Inne to examine it, and to bring his opinion vnder his hand in writing, & accordingly it should be determined.

Next for the order of the Magazine Acc^o referred to the Counsell, My Lord of Southampton was humbly desired to lend his presence for the concluding of it: This and the former Magazine being the cause [41] of all discentions that hath beene amongst the Company, who hath promised his assistance. And S^r Iohn Wolstenholme for the better concluding thereof hath also promised that he will giue order for the meeting of some of the Adventurers, together wth m^r Essington to examine the State of the Magazine, & the Account^e against the Counsell meete.

M^r Tr̄er also signified, touching the Standing orders that nothing is done, in w^{ch} time discouereth not some imperfecōns, acquaynting that some § stood in § need of some small explanaōn, and that there needed to be an addiōn of Two or three more, w^{ch} although yet they cannot be soe absolute as the others, wanting the Ceremonies due vnto them, yet till that be performed they stand (if the Company soe please) as orders of a Quarter Court, w^{ch} to that Court was referred.

M^r Tr̄er desired the allowance of this Court of one thing agreed of by the Auditors and Comittees of the Colledge, w^{ch} was that 1400^{li}—od mony in all being receaued of the Collecōn monyes by S^r Tho: Smith, of w^{ch} vpon seuerall occasions, therewas vented by way of Loane for the vse of the Company Eight hundreth pound^e, the Remainder being 500^{li} odd money was paid vnto mr. Treasuro^r; Therefore that the said 800^{li}—might be reimbursed out of the Co^mon Cash in to the Colledge mony, w^{ch} was ratified and allowed of by the Court.

Vpon a petiōn exhibited by the wife of Abraham Persey, that in lieu of his Long service done the Company, they would gratify him wth giuing him some Land in Virginia: w^{ch} sundry of the Co^rt acknowl-edgin[g] his paynfull endeauo^{rs}, haue agreed for the present to giue him 200 Acres (if the Quarter Court vpon Wedensday next shall allowe thereof; And hereafter as they finde him discharge the busines reposed vpon him, to reward him accordingly.

Also vpon the petiçon of Mathew Cauell Master of the W^m & Thomas, shewing that in consideraçon of a Bote & ship Anchor deliuered to Capt Samuell Argoll for the vse and benefitt of the Plantation, Reēd of the said Capt Argoll in Virginia his freedome & 400 w^{tt} of Tobacco, w^{ch} since his coming home, he could not receiue from the Custome howse wthout putting in caution to pay to m^r Iacobb Two shillings a pound, therefore in reguard of his said freedome, desired he might Copart of the like priuiledges the Company doe. W^{ch} was answered, that Capt Argoll could not giue him his freedome, for none can be free but by two wayes, either by money brought in, or by some extraordinary service: Wherein was alleadged, that he did speciall service in the begining of the Plantaçon: Wherevpon he was appointed to make knowne his deserts in writing, & accordingly, he should receaue the Companies fauour. [42]

AT A GREAT AND GENERALL QUARTER COURT
HOULDEN FOR VIRGINIA ON WEDENSDAY
THE 17th OF NOUEMB 1619. WERE PRESENT.

The Right hono ^{rs}	{	Henry Earle of Southampton.
		Robt Earle of Warwick.
		The Lo: Cauendish.
		The Lo: Sheffield.
		The Lo: Pagett.

S ^r Edw: Sandis Kn ^t Th ^r er.		
S ^r Tho: Roe.	Tho: Gibbs.	m ^r Chambers.
S ^r Dud: Diggs.	Geo: Sandis.	m ^r Palmer.
S ^r ffran: Popham.	Arth: Bromfield.	m ^r Whitley.
S ^r Tho: Gates.	Iohn Bargaue.	m ^r Morer.
S ^r Ferdinand: Gorges.	Capt. S. Argoll.	m ^r Ditchfield.
S ^r Io: Dāuers.	Hen: Reignolde.	m ^r Edwardes.
S ^r Hen: Rainsford.	August Steward.	m ^r Wiseman.
S ^r Tho: Wilford.	Ri: Tomlins.	m ^r Shepherd.
S ^r Ro: Winchfield.	Tho Wells.	m ^r Cranmer.
S ^r Tho: Cheeke.	Edw: Brewster.	m ^r Berblock.
S ^r Nath: Rich.	m ^r Io: fferrar Dpt.	m ^r Rogers.
S ^r Tho: Wroth.	m ^r Hanford.	m ^r Couell.
S ^r Io: Wolstenholme.	m ^r Clitherowe.	m ^r Boothby.
D ^r Math: Suteliff.	m ^r Nich: fferrar.	m ^r Caswell.
D ^r Fr: Anthony.	m ^r Hen: Briggs.	m ^r Barnard.
D ^r Theod: Gulstone.	m ^r Caning.	m ^r Roberts.
D ^r Tho: Winstone.	m ^r Bland.	m ^r Geo: Smith.
D ^r Law: Bohun.	m ^r Bull.	m ^r Meuerell.
Phillip Chidley, Esq.	m ^r Keightley.	m ^r Boulton.
Iohn Wroth.		m ^r Mellinge.

Before the reading of the Co^{rs} there was presented by m^r T^rer a list of all the Counsellors names of Virginia, being of Earles, Barons, Knights, Gentlemen and Citizens about 100 in all, wth this Caution

that if any heard themselves named, and had not taken their Oaths, they were to repair to the Lo: Chauncello^r or the Lo: Chamberlaine to be sworne.

Afterward the writing conteyning an addiçon & explanaçon of certaine Lawes and orders for the Company presented in the Preparatiue Court, was now againe read and by generall consent referred to the Committee formerly chosen for the Lawes & orders of the Company.

The Courtes being read, m^r Treasurer putt the Court in remembrance of his former Proposiçons propounded in the Co^{rt} iij^o Die Nouembris hauing before that propounded them to the Counsell, and lastly to [43] the Preparatiue Court, and desired to haue the iudgment of this Great and Generall Court concerning them: Where, vpon the request of some nobleſmenſ p^{nt}e, he related them againe to the Co^{rt} in effect as followeth;

Mr. Th^rer therefore declared, that his care and duety running ioynrtlie for the advancem^t of this noble Plantation, his desire carried him chiefly to the restoring of the Publiq¹ now lately decayed, and the reforming of some errors, w^{ch} had directed their charges and the labo^{rs} of the Collony to a wrong and vnworthy course, and greatly to the disgrace and hurt of the Plantaçon: ffor whereas not much aboue Three yeares agoe there were returned from Virginia Twelue severall Comodities sold openly in Court to the great hono^r of the Acçon and encouragem^t of the Adventurers: Since that time there hath beene but litle returned worth the speaking of, saue Tobacco and Sassaphras, which the people there wholly applying, had by this misgouernem^t reduced themselves into an extremity of being ready to starue (vnles the Magazine this last yeare had supplied them wth Corne and Cattle from hence) to the stopping and great discouragem^t of many hundredē of people, who were prouiding to remoue themselves to plant in Virginia. The cause of this erro^r he would not insist vpon, as loth to giue offence by glaunce of speech to any, but for remedy thereof (besides often letters from the Counsell sent lately to the Gouvernour

¹ This term refers to the Company land or property in Virginia.

for restraint of that imoderate following of Tobacco and to cause the people to apply themselves to other and better comodities) he had also by the advice of his Ma^{ty} Counsell here, and according to one of the new orders now propounded, caused to be drawne a new Covenant to be incerted in all Pattents of land hereafter to be graunted, that the Pattentees should not apply themselves wholly or chiefly to Tobacco, but to other Comodities specified in the said Coueñnt, An example whereof they should see in the Pattent lying before them to be passed in this Court to m^r Iohn Delbridge and his Associats. Now touching the Publique, he was first to present to their remembrance how by the admirable industry of Two worthie knight^e S^r Tho: Gates and S^r Tho: Dale, it was sett forward in a way to greate perfecōn, whereof the former S^r Tho: Gates had the hono^r to all posterity to be the first named in his Ma^{ty} Pattent of graunt of Virginia, and was the first who by his wisdom, valo^r & industry, accompanied wth exceeding paines and patience in the midst of so many difficulties laid a foundaōn of that prosperous estate of the Collonie, which afterward in the vertue of those beginings did proceed. The latter, S^r Tho: Dale building vpon those foundaōns wth great & constant seuerity, reclaymed almost miraculously those idle and disordered people and reduced them to labour and an honest fashion of life, and proceeding wth great zeale to the good of this Company sett vp the Coñon Garden to yield them a standing reuennue, placed servants vpon it, as also vpon other Publiq^u workes for the Companies vse, Established an Annuall rent of Corne from the ffarmers, Of tribute Corne from the Barbarians, together wth a great stock of Kine, Goates, and other Cattle, being the good^e of the Companie for the service of the Publiq^u, w^{ch} hath since beene the occasion of drawing so many perticuler Plantaōns to seate in Virginia vpon hope [44] and promise of plenty of Corne and Catle to be lent them from the Publiq^u for their ease and benefitt vpon their first ariuall. But since their times all these publiq^u prouisions hauing beene vtterly Laid wast by such meanes as hereafter in due time shall appeare. It hath beene his principall care in those places wherein it pleased the Company to comaund his service to sett vp the publiq^u againe, in as great or greater hight then heretofore it had: The maintayning of the

publiq, in all estates being of noe lesse importance, euen for the benefitt of the Priuate, then the roote and body of a Tree are to the perticuler branches: And therefore to present vnto them all in one view both what had beene allready done, and what yet remayned to be perfected, he recalled to their remembrance, how by their Comission sent by Sir George Yeardley they had appointed 3000 Acres of Land to be sett out for the Gouvernor so to ease the Company henceforward of all charge in mayntayning him: 12000 Acres of Land to be the Coṃon Land of the Companie; viz^{tt} three thowsand in each of the fflower old Burroughes—10000—acres of Land for the vniuersity to be planted at Henrico; of which—1000 for the Colledge for the conuersion of Infidells: The next care was for the placing Tenants vpon these Landē: In Ianuary last there went wth S^r Geo. Yeardley 50 Tenantē for the Gouverno^{rs} Land transported at the Companies and furnished at his charge, and six he found remayning of Capt Argolls garde: In the March afterward there were sent \$twenty\$ to the Companies Land by M^r Lawne, whereof he hath deliuered yet but 15, for want of performance to him of loane of Corne and Cattle: fflower more were sent by the Triall, and Three S^r Geo: Yeardley found in the Country. In the begining of August last in the Bona Noua were sent 100 persons for publiq, service, chosen wth great care, and extraordinarily furnished, whereof 50 for the Companies Land, and 50 for the Colledge Land, So that making deducēon of some fewe that are dead, there were he hoped at this day 174 persons, placed as Tenants vpon the Publique.

Therefore his first Proposition was, that the Company would be pleased, that these Tenants for the Publiq, might be encreased this next Spring vp to the number of 300, viz^{tt} one hundreth for the Gouvernors Land, 100 for the Companies and 100 for the Colledge Land; w^{ch} (if he be truly informed by those whoe best should knowe it) being rightly imployed will not yeild lesse in value then Three thowsand poundē yearely revenue for these publiq, vses. And because care both hath beene, and shalbe taken that diuers stayed persons and of good condiçons haue beene and shalbe sent amongst them, His second Proposiçon was, that for their ease and comodiousnes, there might be 100 young persons sent to be their Apprentices, in the charge whereof he hoped this Hono^{rs} Citty, would pertake wth the Company

as they formerly had done: And because he vnderstood that the people thither transported, though seated there in their persons for some fewe yeares, are not settled in their mindes to make it their place of rest [45] and continuance, but hauing gotten some wealth there, to returne againe into England: ffor the remedying of that mischiefe, and establishing of a perpetuitie to the Plantation, he aduised and made it his Third Proposiçon, to send them ouer One hundreth young Maides to become wives; that wives, children and familie might make them lesse moueable and settle them, together with their Posteritie in that Soile.

His next Proposiçon was, for the manno^r of transporting these persons thus to make vp ffiue hundreth for the Publiq Land, wherein he advised, that they should not as heretofore hire Shipping for this purpose, whereof euery Shipp at his returne in bare fraught and wages emptied the Cashe of 800 and sometimes 1000^{li}, but that they should as they had allreadie done this present yeare take the opportunitie of the Ships trading to Newfoundland, and so to transport them at six poundes a person wthout after reckonings.

A ffifte Proposiçon for the sending of 20 Heifers vpon eu^{ry} 100 of these Tenants, Threescore in the whole, w^{ch} he hoped might be done taking the opportunity of Shipping in the Westernne parts at Ten pound^e a head 600^{li} in the whole.

Lastly touching the charges he related perticularly as formerly he had done, diuers great encouragements of supply to come in: he estimated the whole charge at ffoure thousand pound^e to be done sparingly & bountifully at 5000^{li}: He promised not to leaue the Company one penny in debt for any thing in his yeare to be performed: And moreover that he would discharge 3000^{li} of former debts and reckonings according to the Stock left in the Lottaries at his coming to this place: This done he hoped the Publiq would agayne be well restored, A foundaçon Laid for a future great state, The Adventurers and Planters well comforted and encouraged, All matter of scandall and reproach remoued, and so he would comend the Acçon to the blessing of God. These Proposiçons after some pause, receauing noe opposiçon were putt to the question & receaued the generall approbaçon of the Court.

Next he acquaynted that at the Court of eleccon, there was choice made of Sixteene Comittees, one third part of them being vnsworne, who since that time haue seldome or neuer mett, or afforded their presencē therefore desired that in their steedē w^{ch} had not taken their oathes, others might be chosen in their Roome, men knowne to be of wisdom and industrie, and whose Zeale to the Accon might appeare by the menaging of the Companies busines, w^{ch} now grew great & waighty; Wherevpon there was nominated m^r Doctor Winstone, m^r Shepherd, m^r Rich: Bull, m^r Willm Cranmer, m^r Daniell Darnellie, and m^r Tho: Mellinge, who from time to time have promised their best assistance, & therevpon receaued their oaths. [46]¹

Mr. Thfer bin wth my Lord Maior. Allso hee acquainted thatt in settinge forward pt of his proposiçonns now confirmed hee had to thatt purpose been wth the Lord Maior who found him as willinge to pleasure the Company as he desyred, wthall desyred to have their myndes in writinge that the Court of Aldermen and the Common Councell may the better vnderstand them, w^{ch} being now reddy drawne was read and allowed of, the Copsy of w^{ch} ensueth—

To the Ri Honorable S^r William Cockaine kn^t Lord Maior
of the Cittie of London and the Right Wo^rp: y^e Aldermen his
Brethren and y^e Wo^t: the Common Counsell of y^e said Citty.

The Companies
declaracon to y^e
Lo: Maior and
Courte of Alder-
men.

The Thfer Counsell and Company of Virginia assembled in their great and generall Courte the 17th of Nouember i6i9 have taken into Consideracon the continuall great forwardnes of his honorable Cytty in advancinge the Plantacon of Virginia and pticularly in furnishinge outt one hundred Children this last yeare, w^{ch} by the goodnes of God ther saffly Arived, (save such as dyed in the waie) and are well pleased wee doubt not for their benefitt, ffor which yo^{ur} bountifull assistance, wee in the name of the wholl Plantacon doe yield vnto yo^u due and deserved thanks.

And forasmuch as wee have now resolved to send this next Springe very large supplies for the strength and encreaseinge of the Collony, styled by the name of the London Collony, And finde that the sendinge of those Children to be apprentices hath been very grateful of \$to\$ the people: Wee pray yo^r Lo^p:

¹ At the top of the following page of the manuscript the handwriting changes to that of Nicholas Ferrar's assistant in supervising the transcription of the records. The corrections are few in number and usually by the copyist rather than by the reviewer. This has been referred to as the autograph of Thomas Collett. See Plates,

and the rest in pursuite of yo^r former so pyous Acçions to renew yo^r like favours and furnish vs againe wth one hundreth more for the next springe; Our desire is that wee may have them of Twelue years olde & vpward wth allowance of Three pound a peec for their Transportaçon and fforty shillings a peec for their apparrell as was formerly graunted. They shall be Appren-tizes the boyes till they come to 21 years of Age the Girles till the like Age or till they be marryed and afterwarde they shalbe placed as Tennant^e vpon the publique Land wth best Condiçons wher they shall have houses wth Stocke of Corne & Cattle to begin wth, and afterward the moytie of all encrease & pfitt what soever. And soe wee leave this moçon to yo^r honorable and graue Consideraçon.

[47] Moreouer that hee had drawne a Publicaçon w^{ch} if itt were liked, A Publicaçon rati-
desyred that itt might be putt in printe beinge for the entertaynment fied
of good and sufficient Laborers and Husbandmen, Artificers and
manuall Trades to be sett outt att the time formerly specified vnto the
Publique and Colledg Land w^{ch} beinge read and putt to the question
was ratyfyed by erecçon of hands.

After this hee signified that accordinge to the desire of the last Courte hee had beene wth m^r Secretary Calvert and delivered the Companies answere touchinge the Transporting of men prest by his Maty w^{ch} gaue nott full satisfacçon for that the Kings desyre admitted no delaies butt forthwith to have 50: of the 100 shipt away with all speed, Notwthstanding the many inconvenyences w^{ch} m^r Th^rer alleadged would therby accrew vnto the Company that they could not goe in lesse then fower Shipps, for feare they beinge many togeather may drawe more vnto them and so muteny and carry away the Ships, w^{ch} would stand the Company in fowre thousand pound^e, and they not suddenly to be gotten att this time of the yeare, butt all not servinge the turne hee tolde them what a pinch hee was putt vnto and therefore desyred their Counsell and Advise.

Whervvpon divers waise beinge thought on and considered, the Court The Company to
could finde no fitter nor mor sattisfactory answere then this; That be att the charge
the Company would be att the charge to maynteyne them till ther to maynteyne till
may be Shippinge provyded, if so be they were commaunded to doe be shippinge pro-
vided

A Committee to
Compass Shipping
wth all speed.

800^{li}: to remayne
in the Magazine.

200^{li} more out of
the Cash to be
Added.

The Sommer Ilands
Comp^a to ioyne for
transportinge
some of them.

M^r Th̄er to drawe
the Answer and
deliuer it to m^r
Secr̄i. Caluerte.

The Magazine held
to stand Desperate.

Mr. Th̄ers Com-
plaint of y^e loss
susteynd by m^r
Iacobb

The comp^a: to be
exhibited to y^e
Councell Table

Dispute aboute
mayntening or dis-
soluinge of y^e Mag-
azine.

itt And therefore have apoynted a Committee of select Marchantts to imploy their wholl endeavours for the Compassinge of Shipping wth all speed possible; Namely, m^r Deputy Ferrar, m^r Keightley, m^r Wiseman, m^r Cranmore, m^r Bull, m^r Sheppard, and m^r Mellinge and to that end m^r Th̄er was content the Eight hundred pounde Adven- tured by the generall Stocke in the Magazine should remaine there to be employed to these vses from time to time, whervnto if they pleased ther should be two hundreth pounds more added outt of the Cash in his Custody, w^{ch} Thousand pounde to be onely for the satisfyinge of his Ma^{ties}: desyres from tyme to time.

And wheras the Company of the Sommer Ilande doth allwaies reporte of the gracious favour his Ma^{ty} extendeth to Virginia, that therefore the next Quarter Courte for the said Ilands the Company therof be intreated to Ioyne for the Transporte of some of them to be Servaunte vppon their Land; My Lord of Warwick, S^r Edwin Sandys, m^r Iohn Ferrar and others intendinge to take some of them to that purpose, for prosecutinge of wch itt being putt to y^e question was generally agreed of, intreatinge m^r Th̄er that to this effect hee would in writinge drawe the answere and deliuer itt to m^r Secretary Caluert to informe his Ma^{ty}: [48]

Concerning the Magazine w^{ch} is held to stand in Desperate Tearmes, the goods remayninge in Captivytie; M^r Th̄er fallinge into speech wth a greate noble man of the State of Virginia att length Complayned of the greate losse they have susteyned by m^r Iacobbs deteyninge a wholl years harvest, notwithstandinge all the offers that was made, and that other bussines this Tearme being so great this could have noe reso- lucon from the Kings lear[ne]d Councell; Whervpon hee advised him to bringe their Complaynte vnto the Councell Table, and ther they should be sure to receive all the right that might be:

The desperate estate of w^{ch} and the neglect of the presentinge the Accompts therof caused a suddaine dispute, whither they should proceed forward in the maynteyninge of itt or absolutely to dissolve the same, Some beinge of opinion that free Trade might be more benefi-

call to the Plantacon, vnto w^{ch} S^r Iohn Wolstenholme aleaged that as the settinge vp of that Magazine was the life and cheife support of that Plantation so hee desyred although hee were one of the greatest Adventurers that itt might no longer subsiste then itt might still so continue, butt if itt should be dissolued that accordinge to a former mocon well approved of, the Adventurors goods remayninge there in store estimated att ffive thousand pounds might be first sould off, before any other that shall com of the same kinde: Whervpon after much Debatinge itt was ordered that itt should be argued att full before the Counsell and they to relate their opynyons to the Courte,

Sir Io: Wolstenholmes aleagment to itt

To be argued before y^e Counsell.

Iohn Delbridge Indentures of Land for him and his Associates beinge now delivered engrossed into the Courte after beinge read & fyndinge them Concurrer wth the Orders of the Company received Confirmation wth allowance of the Seale to be thervnto annexed,

Mr Delbridge Indentures ordered to be sealed.

Captaine Brewster desyred to have the hearinge of his cause deferred till the next Preparative Courte w^{ch} is agreed then to be heard.

The hearinge of Cap^t: Brewsters cause deferred

Abraham Peirses allowance of 200 Acres of Land in the last Courte beinge now putt to the question was Confirmed vnto him,

Abraham Peirseys 200: Acres of Land Confirmed.

Sir Iohn Wolstenholme moved that accordinge to an Acte of Courte made the 21th die Iulij 1619 vppon the mocon of S^r Edward Harwood¹ for some Land to be given to the Corporacon of Martins Hundred for their further encouragm^t itt was then putt off vnto this great and generall Courte as proper thervnto by reason itt grew late itt was referred vnto the Counsell att their meetinge to Consider of. [49]

S^r Io: Wolstenholme mocon for some Land to be giuen to y^e Corporacon of Martins Hundred

Allso att the same time hee putt the Courte now in remembrance of his proposiçon then to the Company for some Land to be given him in consideraçon of monney ther in said Courte exprest w^{ch} is referred vnto the Auditors to cast vpp what may be due vnto him by the interest of itt & accordingly to gratefie him.

His proposiçon referred to y^e Auditor^s.

Mathew Cauell m^r of the William and Thomas paide now vnto M^r Th^rer 12^h:10:00 for w^{ch} hee receaved a bill sealed for one hundred

A bill Sealed for 100 Acres of Land to Math: Cauell.

¹ Written over the name "Haywood."

Acres of Land, and admitted into the fellowship of the Company,
And in consideraçon that hee was one of the first finders of the Plan-
tation and had therin merited well, Itt was agreed that hee should
A single Share to be giuen him have a single Share for the same, wth a note vnder m^r Th̄rers hand to
the Custome house that hee is a free brother of the ~~same~~ Company.

A ðre to be writ-
ten to S^r George
Yeardley in y^e be-
halfe of Cap^t New-
port^e sonne. Whereas the Company hath formerly graunted to Captaine Newporte
a bill of Adventure of fower hundred pounds, and his sonne now
desyringe orde^r from this Courte for the layinge out some parte of the
[the] same, m^r Treasuror was entreated and Authorized by this generall
Assembly for to write to S^r George Yeardley and the Counsell of State
for the effectinge hereof.

Cap^t Stallenge
goodsto be reserud
for his widdowe. As also that such things as belonged to Cap^t: Stallenge slayne ther by
William Epps be reserved for the vse and benefitt of his widdowe.

AN EXTRAORDINARY COURTE HELDE
THE xxijTH OF NOUEMBER 1619:

PRESENT.

The Ri: Wor ^p :	S ^r Edwin Sandys kn ^t T̄rer.	
S ^r Nicholas Tufton.	m ^r George Sandys.	m ^r Bearblock.
S ^r Henry Rainsforde.	m ^r Thom: Gibbes.	m ^r Meverell.
m ^r Iohn Wroth.	m ^r Nicho: Ferrar.	m ^r Blande.
m ^r Iohn fferrar, Dep ^t .	m ^r Tho: Bull.	m ^r Casewell.
m ^r D ^r Anthony.	m ^r Keightley.	m ^r Eli: Roberts.
m ^r D ^r Wynstone.	m ^r Cranmore.	m ^r Couell.
	m ^r Hen: Briggē.	m ^r Mellinge.

A ðre deliuered
to m^r Secretary
Caluert M^r Treasuror signified that this extraordinary Courte was to acquainte
them that accordinge to the intent of the last great Courte hee had
drawne the ðre to his Ma^{ty} in the name of the T̄rer Counsell and Company
and had delivered itt to m^r Secretary Caluert together wth a Coppie

therof. butt itt beinge thought that fre would not serve his Ma^{ty} hee was [50] to propound his and crave their further advise that if one hundreth pounds w^{ch} should have beene for mayntenance of those men might be given extraordinary in grosse besides the ordinary allowance of Six pounds the man to any that may be found to transport them wth all expediçon, The knight Marshall haveinge promisd S^r Iohn Dauers that if they may be sent presentlie hee will furnish them wth such psonns of what quallyty and Condiçon they desire. Vnto w^{ch} was obiected that if some were found to vndertake this, yett itt might be this moneth before the Ship could be dispeeded and they duringe such time must be maynteyned at the Companies charge w^{ch} was answered itt could not be helped, his Ma^{ties} Commaund must be full-filled, therfore beinge putt to the question was generally allowed of.

100^{li} to be giuen extraordinary in gross besides the ordinary allowance of six pound a man.

The Kn^t Marshall promiseto Sir Iohn Dauers.

Obiection

Allowed of.

Likewise he acquainted that beinge to goe to the Counsell stable aboute the Companies buisines hee purposed to acquainte the Lords of the Tobacco detayned by m^r Iacobb, notwithstandinge the graunt of their Pattent their letter from the Lords of the Counsell and the Companies offer vnto him; Desiringe to vnderstand their further pleasure, who have agreed to make a further Offer (iff itt may be accepted) to leave a 20th parte wth him in spetie, as allso an other xxth pt for y^e Kings Custome till they have tryed theire Pattent, And for the assistinge of m^r Th^rer theris now entreated, My Lord of Warwick, Lord Paggett Lord Cauendish, S^r Iohn Dauers, S^r Nath: Rich, m^r Iohn Wroth and m^r Cranmore.

M^r Th^rer: purpose to Acquaint y^e Lord^e of the Tobacco deteyned by M^r Iacobb

Agreed to mak a further Offer.

Intelligence beinge given that the Acc^o: of the Magazine beinge made vpp and redy for the Audite, this Courte have now appoynted Audito^{rs} for the same viz^d: m^r Bull, m^r Keightley, m^r Briggs, and m^r Cranmer.

Audito^{rs} to examine y^e Magazine Accom^t:

A fre was shewed to m^r Th^rer by m^r D^r: Wynstone written by a frend vnto m^r Bland intymatinge a greivous scandall layde vppō Virginia by some who hath lived there, of the Barronesse and in fertilitytie of the Soyle, w^{ch} by reason the reporte of all those that hath beene there is veryfied to be false, as allso that itt

A fre shewed vnto m^r Th^rer written by a frend to m^r Bland; touchinge y^e Barroness of y^e soyle in Virginia

tendeth to the discourragment of sundry Adventurers who purposed to transport men thither for the settinge vpp of Iron worke; Itt was thought good for the depressinge of such base reports, [() a former Ire to the like effecte beinge formerly diuulged) that itt be showed to the Counsell, to impose such penalty of the person as may be held expedient, and to consider of a Publicaçon to be sett outt in printe for the Confutaçon therof. [51]

The Ire to be shewed to y^e Counsell to impose a penalty vppon y^e person and to consider of a Publicaçon to be set out in Printe.

DECEMBER Y^e FIRST 1619.

PRESENT.

Right Hono^{ble}: y^e Lord of Southampton.

S^r Edwin Sandys Knight Thřerr.

S ^r Thom: Roe.	Nicho: Hide esq ^r .	m ^r Wiseman.
S ^r Iohn Dauers.	Arth: Bromfield esq ^r .	m ^r Keightley.
S ^r Ferd: Gorge.	Iohn Bargraue esq ^r .	m ^r Cranmer.
S ^r Ni: Tufton.	Aug: Stewarde.	m ^r Casewell.
S ^r Io: Wolstenholme.	m ^r Io: Ferrar Dep ^t .	m ^r Couell.
S ^r Nath: Rich.	m ^r Kempton.	m ^r Barnarde.
S ^r Tho: Wroth.	m ^r Nicholas Ferrar.	m ^r Meuerell.
S ^r Law: Hide.	m ^r Caninge.	m ^r Geor: Smith.
Io: Wroth esquire.	m ^r Blande.	m ^r Leuor.
George Sandys esq ^r .	m ^r Bulle.	m ^r Robert ^e .
Tho: Gibbes esq ^r .	m ^r Ed: Ditchfeilde.	m ^r Mellinge.

M^r Threr^e signifi-
caçon of twice at-
tendinge y^e LL^{ts}:
of y^e Councell.

Before the readinge of the Courte m^r Třer signified that two seuerall times hee had attended the Lords of his Ma^{ts}: most honorable Pryvie Councell, about the Magazine good^e butt nothings was done the first time because m^r Iacobb was thought \$to\$ had been warned but was not, Therefore their Lo^{ps} required m^r Thřer to sett downe his minde in writinge and deliuer itt vnto them vppon this day, against w^{ch} time the King^e Learned Councell would be present, and M^r Iacobb should

M^r Thřer required
by y^e Lords to sett
downe his minde
in Writinge.

be required to attend, w^{ch} accordingly Mr. Theſſer performed, and presented itt this daie vnto their Lo^{ps} w^{ch} was the first buisines they tooke into consideraçon, notwthstanding the said m^r Iacobb was nott present, although the messenge^r affirmed that hee warned him, therefore by reason of his absence the Lords would not pceed to a finall determinaçon, Butt m^r Atturney delivered his opinion cleerly for the right of the Company, whervppō itt was adiourned till to Morrow, vnderstandinge that m^r Iacobb wilbe there wthout faile.

accordingly performed.

M^r Iacobb not present.

Adiourned.

The last great generall Courte beinge read m^r Thſer affirmed acquainted them that m^r Iohn Delbridge purposinge to settle a pticuler Colony in Virginia desyringe of the Company that for the defrayinge some pt of his charges, that hee might be admitted to fish att Cape Codd. W^{ch} request was opposed by Sir Ferdinando George aleaginge thatt hee allwaies favoured m^r Delbridge butt in this hee thought himselfe somethinge touched that hee should sue to this Company, and not rather to him as proprie belonginge to the No^r: Collony to give libertie for the fishinge in that place, itt lyinge wthin their latitude, which was answered by m^r Thſer, that the Comp^a: of the S^o: and North Plantaçons are the one free of the other, And that the Ires Pattent^e is cleer that each may ffish within the other, the Sea being free for both. [52] W^{ch} if the N^o: Colony abridge them of this, they would take away their means and encourragment of sendinge of men, Vnto which S^r Ferdinando Georges replied that if hee mistake not himselfe both the Companies were lymitted by the Pattent vnto which hee would submitt himselfe, ffor the decydinge wherof itt is referred vnto the Councell who are of both Companies to examine the Ires Pattents to morrow afternoone att my Lord of Southamptons and accordingly to determine the Dispute.

M^r Delbridge desire to fish at Cape Codd

His request opposed by S^r Ferdinando Gorges.

Answered by M^r Thſer.

Sir Ferdinando Georges reply.

The Councell of both Comp^a: to examine y^e Ires Pattent^e.

Mr. Deputy informed the Courte that Capt: Tompson haveinge a good Ship burthen 320 Tunn, the Comittees att their meetinge have agreed wth him if the Courte shall allow thereof to give him 1200^{li} to transport for them into Virginia Two hundred men; and for 50 Tunn freight of goods in the said Ship 100^{li} more, in all Thirteen hundred pound and to victuall their men after that proporcion as by a not was shewed

Mr Deputies signification of y^e Comittees agreement wth Cap^t Tompson.

Cap^t Tompson to giue Caution for such monneys as hee shall receaue beforehand.
To be redy at Tilbury hope.

him, Cap^t Tompson promising to give Caution to the Company for such monneys as hee shall receive aforehand; And for pformance of the said Voyadge the said Cap^t: Tompson was demaunded when he would sett outt, who promised to be redy in Tilbury Hope the sixth of ffebruary next, and would stay there fower daies to take in such as should come, and fower daies more att Deale butt if about Tenn daies that then itt might be lawfull for him to departe, Demaundinge of the

his demand of 800^{li} in hand & 500^{li} vppon certificate C^r.
M^r Thrers offer in the behalfe of y^e Company.

Company Eight hundred pounds in hand and fve hundred pounds vppon certificate of the men and goods to be landed in Virginia w^{ch} hee insistinge vppon m^r Th^rer in the behalfe of the Company made offer to give him Seaven hundreth pounds, and Six Hundreth vppon Certificate as aforesaid: He beinge so farr from exactinge of the Company that hee promised that if they would lay into the Ship halfe a Tunn of Aquavitæ for ther Sicke men hee would forbear the present payment of the 100^{li} in question w^{ch} the Courte promised to pforme.

Perticuler Aduenturers.
to Acquaint M^r Webb wth y^e nomber they send.

Whervppon m^r Deputy acquainted the Courte for accomodatinge all men, that if any pticuler Adventurer would send ouer men to Virginia let him give notice of the nomber therof to William Webb the husband and pay vnto him six pounds for their passage Shippinge should be provided for them wth the Companies men.

euery one of y^e Company to help for y^e furnishing them with good & able men.

And because himselfe and the Comittees will have more then enough to provide all things necessary and sufficient against that time of sendinge their people away hee desyred that every one of the Company would give their helpinge hand for the furnishing them wth good and able men for this voyadge, and to take such care and paines in itt as if itt were for their owne pryvate prayinge all men to take notice of his request. [53]

A Table of y^e Guifte and names of y^e Doners to hang in Court

Itt was propounded that in Consideraçon of some publike guifte given by sundry Persons to Virginia, divers Presents of Church plate, and other ornaments—200^{li} already given towards buildinge a Church and ffve Hundreth pounds promised by another towards y^e educating of Infidles children that for the honour of God and memoriall of such good benefacto^{rs} a Table might hange in the Courte wth their names and guifts incerted and the Mynisters of Virginia and the So^mer Ilands

may have intelligence thereof, that for their pious worke they may comend them to God in their prayers, w^{ch} gen^{ally} was held very fitt and expedient.

And forasmuch as by the orders of this Courte the Lotteries are now to dissolve that therfore they would consider of some course for the defrayinge of future charge or else continue them halfe a year longer, Whervppō findinge no other means as yett to accrew vnto the Company, Itt was ordered they should last till midsomer next. and being putt to y^e question was confirmed by erec^{cion} of hands.

The Lotteries continued till Midsomer next.

ffurther M^r Th^rer made knowne that hee had received a verie fauourable lre from the Lord Arch Bishop of Yorke that if hee will send more breefs ther shalbe new Collec^{cons}, As allso how much the Company was beholdinge to the Dyocess of London, my Lo: Bishopp haveinge sentt in a ffull Thousand pounds, As allso y^t mr Register demaundeth 20^{li} w^{ch} hee saith the Comp^a: promised him for his paynes. w^{ch} the Courte thinks him very worthy off, and therfore have agreed that hee shall have the said some of xx^{li} paid vnto him out of such monneys as shall com to him or is yett remayninge in his Custodie.

Mr T^rer signified of a lre Receiued from y^e Lo: Arch-bishop of Yorke and how much the Comp^a: is behoulding to y^e Dyocess of London.

1000^{li} sent in by y^e Bishop.

20^{li} to be p^d: to y^e Register.

DECEMBER—THE XVth

PRESENT

Ri Hono^{le}: the Lord of Southampton.
The Lord of Warwicke.

The Lo: Pagett.

S^r Edwin Sandys Thre.

S^r Tho: Roe.

S^r Iohn Dauers.

S^r Tho: Wroth.

S^r Hen: Iones.

m^r D^r Anthony.

m^r D^r Gulstone.

m^r D^r Winston.

m^r Io: Wroth.

m^r Christ: Brooke.

m^r Tho: Gibbes.

m^r Edw: Harbert.

m^r Aug: Steward.

m^r Ri: Tomlyn^e.

Cap^t Samu: Argoll.

Cap^t Da: Tucker.

m^r Nicho: Leate.

m^r Wrote.

m^r Io Ferrar Dep^t.

m^r W^m: Caninge.

m^r W^m: Palmer.

m^r Henry Briggs.

m^r Georg Swinhoe.

m^r Aiscough.

m^r Keitley.

m^r Berblock.

m^r Nicho: Ferrar.

m^r Sheppard.

m^r Bull.

m^r Bamforde.

m^r Cranmer.

m^r Woodall.

m^r Casewell.

m^r Sparrow.

m^r Robert^e.

m^r Arundell.

m^r Wiseman.

m^r Ditchfield

and others. [54]

Bills approued of and passed ouer. These seuerall Bills of Aduenture being allowed by the Auditor^s, Att their Audite the xiiijth of December 1619 were now passed and receaved the Courts Approbacon.

Iohn Cage esquire turned ouer nine bills six of them to m^r D^r Theodore Gulstone, and Three to m^r Isack Seaward.

Peter Bartes three bills to D^r Theodore Gulstone.

II. Writing of Thomas Collett (?)

Being page 54 of Volume I of the original MS.

John Payne gent one bill to D^r Theodor Gulstone.
 Augustine Steward esq^r 3 bills to S^r Henry Iones Kn^t.
 Katherne Clarke widdow one bill to Edward Harbert esqr.

Sir Edwin Sandys ~~and~~ ^{as} it was ordered in the last Courte repay-
 inge the next day to the Councill Table presented a Petiçon to their
 Lo^{ps}: accordinge as itt was referred vnto him in the name of the Coun-
 cell and Company in w^{ch} was conteyned the wholl State of the buisines,
 Mr Iacobb beinge there, it pleased their H^{ps}: to give them moste honor-
 able audience hearinge the allegaçons of both sides. Wher m^r Attur-
 ney generall delivered his cleere opinion to the LL^s That the Company
 by their Pattent were free from Imposiçon; And in fine itt was
 ordered by their Lo^{ps}: that the said M^r Iacobb should deliver the said
 Tobacco vnto them paying all other Duties that might appteyne there-
 vnto, w^{ch} was submitted to their Lo^{ps}: Iudgments;¹ Therfor he moved
 that the Petition togeather wth their Lo^{ps}: order might be entred in
 the Courte Booke w^{ch} was well liked of: being as followeth.

A petiçon deliu^{ed}
 by S^r Edw: Sandys
 to ye H^s touchinge
 m^r Iacobb.

The Allegaçons of
 both sides heard.

Mr Iacobb to de-
 liuer the Tobacco

To y^e Ri: Hono^r: the LL^s: and others of his Ma^{ties}: most Honorable Priuie
 Councill

The humble Petiçon of y^e Th^{re}r Counsell and Company for Virginia

Humbly shew vnto yo^r Lo^{ps}: Whereas the Plantaçon of Virginia by reason of
 many great difficulties hath beene and still is a matte^r of excessive charge to
 the p^ticularr Adventurers, And if itt please God to p^sper the same so as itt be
 brought to p^fecçon (wherof the hope is now greate^r then heretofore att any
 time) Itt wilbe a matter not onely of strength and honour butt also of great
 proffitt to his Ma^{ty}: and his people And to his Ma^{ty} p^ticularly in his Customs,
 vnto w^{ch} the negotiaçon established wth Virginia will raise a cleere and in short
 time a great addiçon, as growinge by mutuall Traffique betweene the English
 and English, who now yearly remove thither in very great multitudes: [55]
 In w^{ch} and many other important Consideraçons itt pleased his most excellent
 Ma^{ty}: of his Princely benegnity by his f^{res} Pattents bearringe date the 23th of
 May in the Seaventh year of his Raigne of England C^r. To graunt vnto the
 said Company ffreedome from Custome and Subsidie in Virginia for one and
 Twenty years and in England for a certaine nomb^r of years now expired, and
 from all other Taxes and Imposiçons for ever. “Exceptinge onely the ffine

The Comp^{ys}: Peti-
 çon to y^e Lord^e de-
 claringe their free-
 dome of Imposi-
 çon

¹ See letter from the Privy Council to Abraham Jacobs, List of Records, No. 137, page 136, *ante*.

“pounds p Centū: due for Custome vppon all such goods and Marchandizes
 “as shalbe brought or Imported into this Realme of England or any other his
 “Ma^{ty}: Dominions accordinge to the Ancient Trade of Marchants.”

And the like graunt hath beene made by his Ma^{ty}: to y^e Comp^a of y^e So^mer Ilands by his gracious Ires Pattents bearinge date the 29th of Iune in the 13th yeare of his Raigne of England C^r save that the freedome from Custome and Subsydie graunted to them is not yett expired. Which Comp^a of the Somer Ilands are all members of the Virginia Company and for the mutuall strength of both parties are soe to continue.

All w^{ch} notwithstandinge the ffarmo^{rs} of his Ma^{ty}: Customs by a generall rate made of Tobacco att x^s the pound in regard the Spanish Tobacco is worth much more though the Virginia Tobacco give not halfe so much, demaund of yo^r Supplyants vj^d the pound for their Virginia Tobacco w^{ch} they humbly desire may be rated att a iust valew by itt selfe (w^{ch} they shall willingly pay) and not raysed to the double by cooplinge itt wth the Spanish w^{ch} is sould ordinarily att 18^s the pound and some times att more.

They Complaine also to your LL^{ps}: of m^r Iacobb ffarmo^r of y^e Impost of Tobacco who by color of a much latter Graunt from his Ma^{ty} demaundeth of them an other vj^d the pound vppon their Tobacco contrary to his Ma^{ty} most gracious Graunt, and w^{ch} also itt is not possible that poore Comodity can beare.

They humbly therefore offer to yo^r LL^{ps}: Considera^on wheras for the support and increase of that Planta^on to draw on the Collony more cheerfully to apply their labour, they have erected here a Society of pticuler Adventure^{rs} for Traffique wth them of Virginia in a Ioynt Stocke for dyvers years commonly called the Magazine, and have contracted with y^e people ther, as for other Comodities so pticularly to give them iiij^s a pound for Tobacco, by vertue of w^{ch} Contracts a great multitud of people have lately beene drawne to remove thither, and not soe fewe as one Thowsand Personns are providinge to goe and Plant there in the Springe approching, that if to that iiij^s be added this 12^d demaunded by the ffarmo^r together wth other charges of ffraight C^r itt will exceed the vttermost vallew w^{ch} att this day the Tobacco can be sould for, and consequentlie must needs dissolve this Traffique established.

And they further Complaine to yo^r LL^{ps}: of m^r Iacobb that wheras this Company for the vphoulding of the said Traffique sett out in September was Twelue moneth a Ship to Virginia for the bringinge home of the Comodities as itt were the Harvest of that yeare, wherby the people there are to be maynteyned wth clothinge and necessary Implements. [56]

The Company here quickned wth hope of proffite by traffique and by this mutuall negotiacon his Ma^{ties} Customs advanced: And accordingly in Iune last their Ship returned and brought home Twenty thousand pound weight of Tobacco for w^{ch} besides the Marchandize bartered wth them there they are to discharge here aboue Eight hundred pounds of Bills of Exchange, And vppon returne of their Ship they brought their goods into the Custome house as they were required that they might be weighed and the Custome answered for the same w^{ch} they were most willinge and redy to discharge, M^r Iacobb of his owne authority interrupted the weyinge of their Tobacco and forbad farther proceeding vnless that impost of vj^d a pound were allso paid vnto him.

Whervppon they flyinge to yo^r Lo^{ps}: for releife obteyned yo^r hono^{rs}: Letter to m^r Iacobb to deliver their goods they entringe into bond to pay him whatsoever should appear to be his due, by yo^r H^{ps} iudgment℥ vppon certificate from his Ma^{ties}: leirned Councell, and wthin one moneth after itt should be determyned, w^{ch} order yo^r Supplyant℥ did offer him to pforme.

But m^r Iacobb refusinge to pforme yo^r H^{ps}: order and exactinge of them another bond, vizard to pay him his demaund att a certaine day vnless they pcure in the meane time a discharge from yo^r H^{ps}: w^{ch} they thought vnfitt to vndertake beinge not in their power to effect hath ever since now for the space of fower monneths and vpward Contrary to his Ma^{ties} Ires Pattents and yo^r Lo^{ps} honorable Ires (an example vnheard of) forceably deteyninge their goods to their damage att least of—2500^{li} partly by the impayringe therof in worth through dryinge and other corrupcon and partly by the Sale of price vppon the Store of English Tobacco w^{ch} hath since beene made

They further Complaine of m^r Iacobb that wheras the Somer Iland℥ are yett free for two years and an halfe vnexpired of very Custome and Subsidie, m^r Iacobb who standinge by his Officers at Plymouth hath caused 12^d the pound to be exacted for their Tobacco, and bond to be entred for the payment therof on the Sixth of this monneth vnless yo^r lo^{ps}: shalbe pleased in the meane time to discharge y^e same.

In consideracon of w^{ch} premises these Petiçoners most humbly beseech your good H^{ps}: that wheras they are now in treaty for the providing & settinge forth of two Ships imeadiately, the one to Virginia expresly for his Ma^{ties} service, and the other to the Somer Ilands for the necessary fortifyinge and securinge of that place, And for as much as they dare not lett them Carry thither soe vnwellcome news, as in the pticulers before sett downe And forasmuch allso as the preparacons for the transport of those = 1000 = Persons are now all att a stand waightinge vppon the success of this present buisines that yo^r H^{ps}: of yo^r accustomed goodness and fauor toward this Plantacon, and to preserve

itt from vtter ruine now threatned by those Courses wilbe pleased in vphouldinge of his Ma^{ties}: gracious Graunt vnto them to cause their goods thus deteyned to be att length deliued vppon payment of such duties as of right ought to be paid.

And they shall allwaies pray for yo^r lo^{ps}: long Continuance in all prosperity. [57]

Capt Argoll^e desire to answer such Crimes as are imputed to him. M^r Th^{ier} report^e of their proceedings with him.

Captaine Argoll vppon his owne desire to answere to such Crymes as are imputed to him in the time of his Gouverment hath been sundry times summoned to meete the Councell att Southampton house where haveinge sett many daies, M^r Th^{ier} now presented the passage of their seuerall pceeding^e wth him devydinge his charge into three partes.

1: His Offences in matter of State, 2: The Depreda^{cion} and spoile of the publique wth other offences to the Company and Councell and 3: his oppression there of the Collony in generall and sundry pticular men.

To the Two first m^r Th^{ier} vppon the desyre of the Counsell was content to collect the falts, and sett downe §in§ Articles the greivances of the Company because the said Cap^t Argoll desyred to answere every pointe in writinge. Butt the third of the opression of the people haveinge no affinitie wth the two other part^e may be answered by themselvs when Certificate shalbe returned from thence of the same hee haveinge answered to the 4 firste Articles of Matter of State,

The buisines to be referd to a Lawyere & a Marchan^t. Capt Argoll to entertaine a Councello^r.

The second parte of deprada^{cion} was deliud vnto him in Eight Articles by m^r Th^{ier} earnestly desyringe the Courte (as the Councell think^e itt Conuenient) that the prosecutinge herof might be taken outt of his hands, and referred accordinge to the Councell^e order vnto a

The Comp^a choise of their Lawyere and Marchant.

Lawyer and a Marchaunt to sollicite the Companies cause against him: And allso Cap^t Argoll desyred that in respect hee was no great Scoller that hee might have liberty to entertaine Councell to defend his Cause: Soe the Courte for the Company have now made choyse of m^r Edward Harbert for the Lawyere and mr Tho: Keightley for the Marchant agreeinge that all the writings and evidences shall be putt into their hands, And that the T^{ier} and Councell shall be iudges of the buisines, Mr Deputy promisinge to enforme and ease them as much as hee cann, allowinge allso of Cap^t Argoll^e request.

Wher vppon hee made a second that in regard Sir Thomas Smith was then Th̄rer, and may say some thinge to some orders w^{ch} was given him, that this buisines might be heard att his house, w^{ch} m^r Th̄rer said hee would not gainesay, whensoever the mattere were handled to the knowledge of S^r Tho: Smith, And the rather for that the firste movinge against Cap^t Argoll pceeded from S^r Thomas Smith, and m^r Alderman Iohnson, wth some other as appeareth both by their lette^{rs} to Cap^t Argoll himselve of the 3^d of August 1618, As allso by their other f̄res to the Lord Lawarr att y^e same time, wherin they charge him wth all or most of the said Crymes, & that in verie sharpe sorte; Requiringe the Lord Lawarr to send him home to his answere to sequestre his goods there and to restore to the publique all such Cattle as hee had alenated wthout lawfull warrant:

Capt Argoll's second request

Wheras the last Court agreed to give vnto my Lord of London^e Register for his paines in their Collec^{co}ns the some of xx pound^e form^{ly} p^romised m^r Th̄rer informed that his llo^p: hereing therof was not well pleased therewth and would not assent that any pt of the 1000^{li} w^{ch} hee had sent in should be deminished: As allso that accordinge to the Archbishops of York^e desyre hee had sentt him 200 new breif^e for Collec^{co}n. [58]

My Lo^r: of London^e dislike of xx^{li} to be given to his Register.

200 new briefs sent to y^e Archbishop of Yorke.

The Councell meetinge accordinge to the referrence in the last Court and pvsinge the f̄res Pattents grew to this Conclusion that by the lycense of the said Councell itt might be lawfull for either of the said Collonies to fish wthin the liberties the one of the other butt since some of the Northerne Collony flyinge from that agreement pretend to Consider better of itt before they will give answere therevnto. Howsoever the Councell haveinge occasion to psue itt vppō the Mo^{co}n of m^r Th̄rer have given lycense vnder their seale vnto the Society of Smiths hundred to goe a fishinge w^{ch} Seale was this day in open Courte and by the allowance therof affixed to their saide Lycense, as allso to a Duplycate of the same.

The Counsell's reporte for pvsing y^e f̄res Pattents.

Lycense giuen to Smiths Hundred vnder y^e seale to Fish in y^e N^o Colony

Att this Court M^r Th̄rer acquainted the Company that the day before S^r Tho: Smiths Acc^o had beene brought in to the Audito^{rs} and for the spedyer Auditinge and concludinge of them itt was moved by him in

Sir Edw: Sandys mo^{co}n for a Publication to be sett out in printe

the name of the Audito^{rs} who by one ¹ assent had approved therof that a ¹ Publica^çon might be sett outt in printe, In y^e firste parte to sett downe the names in Alphabeticall order of every Adventurer and their seuerall Summs Adventured that therby all may take notice of their sumes brought in, and be summoned to com in for their Land propor^çonable thervnto, before the best were possessed by new Adventuro^{rs} or Planters w^{ch} might be allso a means of a speedy encrease and ¹ of the Planta^çon And in the second pt to confute such scandalous reports as have beene divulged of Virginia by the Iustifica^çon of the Inhabitant^l there, wch mo^çon was generally approved by the Courte referringe the drawinge of the said Publica^çon to m^r Th^rer & D^r: Winstone.²

The mo^çon approved of and y^e drawing of itt referred to m^r Th^rer & D^r Winstone.

Mr Keightleys reporte touchinge y^e Magazine Acc^o

Mr Th^rer moved for 3: things to be considered of

Mr Thomas Keightley beinge formerly amongst others chosen an Auditor for the Magazine Accompt^{ts}, now reported that although y^e Court tooke some distaste att m^r Essington touchinge the same, yett hee and the rest appoynted wth him haveinge Audited itt never found books in better order nor Accompts better kept, for not fower penyworth of goods is sent butt is orderly sett downe, marvelinge that as itt appears ther should be 2000 & odd pounds owinge to the Adventuro^{rs} and they continue indebted 1000^{li} to the Chamber of London besides—5200 and odd pounds worth of goods remayninge in the Magazine as itt cost the first penny here: Whervpon itt was mooved by m^r Th^rerr that three poynt^l might be considered: 1: The sale of the Tobacco 2: Concerninge those difficulties that are founde in the Accompt^{ts} men^çoned by m^r Keightley: 3: wheither to p^{ro}ceed wth the Magazine or dissolve itt. ffor the first m^r Bearblock, m^r Caninge, and m^r Smith are intreated to goe to S^r Iohn Wolstenholme to know when hee holds itt convenyen^t to make Sale of itt, and accordingly order shalbe given for the Adventurers meetinge. [59]

ffor the second itt was agreed accordinge to former order that when the Accompt^l are prepared they shalbe presented to the Counsell to

¹ A blank space in the manuscript.

² Such a list was printed in the *Declaration* of June 22, 1620. There was also a broadside of May 17, 1620, which set forth the condition of the colony and its commodities. See List of Records, Nos. 174 and 183, pages 140 and 141 *ante*.

have those doubtess decayed, And Whereas the Society of Smiths Hundred are indebted to the Adventurers of the Magazine for men transported in the William and Thomas Itt is referred vnto fower to examine what is due and itt shall be paid vizd m^r Caswell and m^r Smith for the Adventurers, and m^r Iohn Ferrar and m^r Keightley for Smiths hundred; And for the last whether the Magazine shall continue or noe, itt is referred to be disputed of att the Adventuro^{rs} meeting for Sale of the Tobacco.

ffor the fiftie men w^{ch} are now to be sent vppō Co^maund from his Ma^{ty}: Itt was agreed vppō the mo^oon of m^r Th^rer for the apparrellinge and furnishinge them wth other necessary expences, one Hundred pounds shall be allowed to be disbursed out of y^e Cash and afterward to be reimbursd wth the rest by their Maisters.

100^{li} to be disbursed out of Cash for furnishing of y^e 50: men.

M^r Th^rer signifyinge y^t the Lord Maior desyringe some of the Company to be present att their Court att Giuldhall they should vnderstand the Citties pleasure touching the mo^oon for the Children, therefore mooved y^t some might be appoynted to attend them to know their resolu^ons: Whervppon the Courte earnestly entreated himselfe to take the paines Associatinge vnto him S^r Iohn Dauers, S^r Tho: Wroth, m^r Iohn Wroth, m^r D^r Winstone, m^r Abbott, m^r Gibbs, m^r Bearblock, m^r Caninge and m^r Palmer tomorrow morninge att 10: of the Clocke att Giuldhall w^{ch} notwthstandinge the multiplycitie of many other buisnesses for the Company hee hath p^mised to pforme.

Some of y^e Compa: to be att y^e Court at Giulde hall.

Itt is agreed that m^r Batemans bill of Exchange shalbe paid by the Adventurers of the Magazine who are content to disburse the money till itt may be vnderstood who of right shall pay itt.

Mr. Batemans bill of Exchange to be paid by y^e Adventurers of y^e Magazine.

M^r Ralph Yeardleys Peti^on in behalfe of his Brother S^r Georg Yeardley was read and approved by the Courte, butt by reason itt grew late itt was referred to the next Court to be pformed.

M^r Ralph Yeardleys peti^on approved of

Elizabeth Barkeleys Peti^on referred to the same time.

Eliza: Barkeleys Peti^on referd.

xviii to be paide
Frauncis Barra-
dine for y^e Vse of
Kath: Bath.

Notice beinge given to Mr. Th̄rer that Katherine Bath hath chosenn Frauncis Barradine of London Chandlor to be her Gardeon, who beinge present shewed forth an Instrument for the same, Itt was agreed y^t a warrant should be made for payment of the Sixteen pounds odd mony to the said ffrauncis Barradine for her vse and so the Company to discharge themselvs of that Debt w^{ch} accordinge to a former order they were to pay vse for appoyntinge him to be vppon Munday morninge att the generall Audite and hee should receive yt. [60]

DECEMBER, Y^e 23: 1619

PRESENT.

Ri Hono: Lord Cauendish.
Generall Cæcill.

Extr: Courte.

S ^r Iohn: Dauers.	m ^r Iohn Ferrar Dep ^t .	m ^r W ^m :Cañinge.
S ^r Nath: Rich.	m ^r D ^r Winstone.	m ^r Bull.
S ^r Io: Wolstenholme.	m ^r Ferrar Iunior.	m ^r Caswell.
S ^r Henry Iones.	m ^r Nicholas Leate.	m ^r Bearblock.
m ^r Iohn Wroth.	m ^r Henry Briggs.	m ^r Mellinge.
m ^r Tho: Gibbes.	m ^r Tho Keatley.	m ^r Geo. Smith.
m ^r Edw: Harbert.	m ^r Cranmere.	m ^r Robert ^e .
m ^r Kempton.	m ^r Bamforde.	m ^r Sparrow.

A Comission for
In^o Damirō or-
dered to besealled.

A Comission to Iohn Damyron m^r of y^e Duety beinge now red & allowed for takinge the first optunytie of winde and weather to sett Saile for Virginia wth the Passengers the Company shippeth by Commaund from his Ma^{ty}: was now ordered that the Seale should be thervnto affixed.

Some of y^e Comp^a:
to be at Bridewell
touchinge y^e 50:
men y^t must be
transported

M^r Deputy informinge the Court that the knight Marshall havinge been wth m^r Th̄rer gave him to vnderstand that vppon Munday morn- inge, ffiftie of the Persons to be transported for his Ma^{ty}: should be att Bridewell for the Company to make choyce of such as they thinke for

the present fitt to be sent therfore moved that some might repare thether att 8 of the Clock to meet the kn^t Marshall about that buisines; Whervppon the Courte have desyred M^r D^r Wynstone, m^r Caninge, m^r Cranmore, and m^r Thomas Mellinge to be there att that time.

The Charter party beinge drawne and now psented between S^r Edw: Sandys kn^t Th̄rer and S^r Anthony Aucher, and Cap^t Thompson expressing y^e Couēntē betweene the Comp^a: and the said Cap^t Thompson for freight of the good Ship called the Ionathan, and Transportaçon of ¹ Passengers; M^r Deputy desyred that M^r Th̄rer beinge to seale yt for the vse of the Company, there might be an order of this Court to save him harmeless. W^{ch} the Courte so willingly assented vnto y^t they confirmed his securitie (beinge putt to y^e question) by erecēon of hands.

The Charter party betweene y^e Comp^a: and Cap^t Thompson presented.

M^r Th̄rer. to be saued harmeless.

fifteen thousand waight of choyce Tobacco beinge separed from the worst, one third pt of itt was agreed to be putt to Sale by the Candle allowinge Trett 4 in the C: to pay att : 6 : and : 6 : moneths and if any of the Comp^a: buy itt, to have the Custome free if they export itt: M^r Tho: Mellinge biddinge iij^s want a penny att the goinge out of the flame had itt adiudged.

1500: w^{tt} of choyce Tobacco separed from y^e worst

M^r Mellinge had it adiudged.

A war̄nt accordinge to order in the last Courte was now allowed and signed by the Audito^{rs} to m^r Th̄rer for the paym^t of Sixteen pounds to ffrauncis Barradine Katherine Bath haveinge made choyce of him to be her Guardian.

A war̄nt sealed to m^r Th̄rer for paym^t of xvj^{li} to Fra: Barradine for Ka: Bath

Ann other war̄nt was allowed and signed to m^r Th̄rer for paym^t of 400^{li}: to Cap^t: Thompson, in pt of the Comp^a: agreem^t for the freight of the Ship and Transportaçon of Passenge^{rs} accordinge to order of Courte made primo die xbris 1619.

A warr: sealed to M^r Th̄rer for paym^t of 400^{li} to Cap^t Thompson.

Elias Robertē haveinge paid in 12^{li}:10^s:00 to m^r Th̄rer a bill of Adventure was now allowed & sealed vnto him for a single Share of 100 Acres of Land in Virginia. [61]

A bill of Adventure sealed to m^r Robertē.

¹ A blank space in the manuscript.

JANUARY Y^e VIIJth 1619

PRESENT.

S^r Edwin Sandys Kn^t Th^rer.S^r Iohn Dauers.S^r Frauncis Lee.S^r Io: Wolstenholme.S^r Nath: Rich.m^r Robert Ofley.m^r Io: Ferrar Dep^t.m^r D^r Gulstone.m^r Thomas Gibbes.m^r Nicholas Ferrar.m^r W^m Cañinge.m^r Hen: Briggs.m^r Ri: Wiseman.m^r Tho: Keightley.m^r Cranmer.m^r Edw. Ditchfield.m^r Whetley.m^r Casewell.m^r Bull.m^r Darnelly.m^r Bearblock.m^r Georg Smith.m^r Robert^e.m^r Mellinge.

The callinge of this Court to consider whether y^e Comp^{ts}: wolde farme y^e impost of Tobacco

The Custome thought fitt to be raised.

The resolucon for paym^t only of y^e: 5^pC. graunted by y^e King in his Tres Pattent^e confirmed

M^r Th^rer signified that the cause of this extraordinary Courte was to vnderstand their resolucons, about a matter recomended to them frō his Ma^{ty}: by reason of the Maister ||of the|| Wardes, whether the Company would ffarme the impost of Tobacco or any pt therof att Eight Thousand pounds p Annū and pay 12^d a pound for Custome of their Tobacco, itt haveinge been thought convenyent to raise the Custome vppō Tobacco to that Rate for that some Spanish Tobacco hath beene sould att Twenty Shillings p pound of w^{ch} 12^d: vj^d: was to be paid to the ffarmers of the Imposte and vj^d to the ffarmers of the Custome.

After some disputacon itt was answered that the Kinge hadd graunted them their Pattent vnder the brode Seale vppon good grounds, to paie onely five p Cent: and no more w^{ch} Prevyledge they could not give vp nor betray withoutt great breach of duety, as allso the certaine hazard of the whole Plantacon, And this poynt was stood so resolutely vppon that being putt to the question itt was confirmed by all the hands noe one dissentinge.

And therefore forasmuch as their Virginia §Tobacco§ was never yett sould in any sale that tooke effect att aboue five shillings the pound but many times vnder they could not give way to pay more for Custome then three pence vppon the pound w^{ch} is full five in the hundred yett so that if hereafter itt should rise to a higher price they would willingly encrease their Custome to the highest of that rate.

if y^e Virg: Tobacco rise to a higher prise they are content to encrease the Custome to the highest rate.

Yett in regard they vnderstand by m^r Thřrer that his Ma^{ty}: out of love and affecōn to this Company have given order for y^e inhibiting the plantinge of English Tobacco for these five years to beginge at Michaellmas next insueinge w^{ch} resteth to be proclaymed till the Company have deliuered their Answer w^{ch} is expected att y^e Counsell Table this afternoone, in Consideracōn therof itt is now assented [62] to and ordered by the Courte that duringe the said ffive years if y^e Proclamaōn continue so longe and take effect in gratificaōn of || to || his Ma^{ty} for his most gracious fauour to add nine pence more vppon a pound so to make itt vpp xij^d beinge in full of his Ma^{ts} demaund though not in the same forme.

The Planting of English Tobacco inhibited by his Ma^{ty} for those 5 years.

Nine pence vppon a pound to be Added to sattisfie his Ma^{ts} demaund.

And beinge demaunded by m^r Thřrer whether they would vndertake the farme or participate therof the Court held itt inconvenient to medle therwth in their generall for as much as they had neither Stock nor Rente yett wherby to pay itt, Yett because his Ma^{ts}: most gracious offer should nott seeme in any poynt to be neglected or refused, Itt was desyred thatt some pticularr psonns of the Company, and in name of the Company though for their owne pticularr vse should ioyn for some pt therof w^{ch} was assented to; And m^r Thomas Keightley wth some other yeilded to accept therof for a third pt w^{ch} was Confirmed and so ordered by the Courte.

The Vndertakinge of the farme held inconvenient.

Some pticular persons of y^e Comp^{ty}: to ioyn for some pt therof

And because this their determinacōn mvst forthwith be presented to the Lords, The Court have desyred mr. Thřrer to take the paines and have entreated to accompany him, m^r Tho: Gibbe m^r Wheatley, m^r Cranmer, m^r Keightley m^r Ditchfelde, m^r Wiseman, m^r Bearblock, m^r Caswell, and m^r Mellinge.

Mr Thřrer and some others to draw y^e Comp^{ty} determinacōn & present it to ye Lord

JANUARY Y^e: 12th: 1619

PRESENT.

S^r Edwin Sandys Kn^t Th^rer.S^r Tho: Wroth.S^r Io: Wolstenholme.S^r Nath: Riche.S^r Henry Iones.m^r Robt. Offley.m^r Iohn: Ferrar Dep^t.m^r Thomas Gibbes.m^r Richard Tomlyn^e.m^r Tho: Keightley.m^r Harbert.m^r Nicho: Ferrar.m^r Bearblock.m^r Caswell.m^r Meuerell.m^r Swinhow.m^r Bamforde.m^r Caninge.m^r Briggs.m^r Woodall.m^r Couell.m^r George Smith.m^r Arrundle.m^r Eli: Robert^e.m^r Tho: Mellinge.

Mr Th^rers report
touching y^e deter-
minacon of that
his Ma^{ty} Comend-
ed vnto the.

The Acte to be en-
tred in y^e LL^s:
Comissioners Re-
cords.

A Committee to re-
pare to y^e Clerk of
y^e Counsell to take
care y^t y^e bargaine
be entred & to pro-
cure a Coppie ther-
of to be entred
amongst y^e Comp^s:
orders.

This Courte was given intelligence by m^r Th^rer that hee had acquainted the Lords Comissioners for the Treasury as hee and some others ||were|| requested touching the determinacon of that his Ma^{ty}: recommended vnto them expressed att large in the Court goinge before w^{ch} was y^t notwithstanding they altered the forme of his Ma^{ts}: demaund yett they agreed in y^e substance of giveinge xij^d a pound, vizd 3^d Custome accord- inge to ther Pattent and nine pence more for five years in Consideracon of the displantinge of English Tobacco. Yett the Lords tooke itt [63]

acceptably that in substance they had agreed and for matter of forme itt should be accomodated by beinge passed ouer on both sides:

Butt for as much as divers of the Courte conceiveth that vnless this offer and the true meaninge therof be entred as an Act in the LL^s:

Comissione^{rs} Records itt wilbe very difficult att the expiracon of five

yeares to wthdraw itt butt that continuinge so longe itt wilbe expected

forever as a duty due from the Company to his Ma^{ty}: ffor prevent-

inge of w^{ch} so neere as may be the Courte hath now appoynted a

Committee to repare to the Clark of the Counsell, and to take care that

this bargaine be Recorded, and to pcure a Coppy therof to be entred

amongst the rest of the Companies orders: And because the said

Clarke of the Councell may better vnderstand the Companies true

meaninge they have required their Secretary to Coppy outt their last Courte that the said Committee may deliver itt vnto him. The Comittees are S^r Iohn Dauers, S^r Nathaniell Rich, M^r Thomas Keightley, and M^r Berblock, who have promised to goe aboute itt vppon ffryday Morninge next att eight of y^e Clocke.

The Secretary to draw a Coppy of y^e last Courte

And wheras some desyred that in handlinge of this buisines they would have cleered the garblinge of their Tobacco, w^{ch} is expected shortly to be imposed vppon them by the Pattentees thereof: Itt was answered that itt was not a thinge ptinent to this buisines, as allso that in the last Court itt was spoken of butt not concluded as thinkinge itt vnseasonable to goe aboute preventinge of that w^{ch} as yett was not demaunded, and in right could not be imposed on the Company whose goods are free from all imposiçons and Taxes.

The cleeringe of their garblinge of Tōbacco held imptinent to this buisines.

M^r Thřer and m^r Deputy beinge yeasterday wth the Lo: Maior, Reported that hee informed them, the Cittie had agreed to provide one hundreth Children for Virginia, and to allow the Company five pound apeece three pounds towards their passage and ffortie shillings for Aparrell, desyringe mr Thřer to deliver in writinge the Condiçons the Company will pforme w^{ch} hee hath promised to doe to morrow: And further did demaund what land they should have in lew of their Transportaçon, who answered that they were not to have any, butt after the expiraçon of their Apprentishipp, they were to be Teñntē to the Common Land, butt in regard the Cittie beareth the halfe charge of their transportaçon hee thought the Court would allow them 25 Acres apeece of every each one of them, w^{ch} for the p̄sentt his Lor^p: seemed to be sattisfied therewith. [64]

M^r Thřer & M^r Deputie their report touchinge y^e 100 Children to be sent to Virginia

Concerninge the Magazine touchinge the poynt wheither itt should continue or nott, after some reasons given for the maynteyninge of itt no longer, Itt was generally agreed by the Adventuror^s that itt should be dissolved, w^{ch} by erecçon of hands beinge putt to the question was ratefyed, now orderinge that for the 5200: and odd pounds worth of goods there remayninge rated as they Cost heer first penny shall first be putt of, before any other of the same kinde w^{ch} padventure by pryvate men may be sent, and so much to give y^e Plantaçons

The Magazine dissolved.

informaçon of by letters, as allso that if they will ioyne and take these Magazine Goods remayninge in store, that then itt shalbe lawfull for them to have presently an absolute free Trade, w^{ch} may seeme by this restraunte to be in pt debarred from them.

S^r Io: Wolstenholme freed from y^e place of Director.

And for asmuch as S^r Iohn Wolstenholme by reason of his waightie imployments, can by no means Continue in the place of Director hee is now freed of the same, And by the Adventurors now present agreed that their gouernment shalbe the same, wth the Gouverment of the Courte saveinge that in matters meerly concerninge the Magazine none shall have voyce butt the Adventurors.

for y^e Tobacc^o: vn-sould m^r Leate to haue one third of y^e whole.

And for the Tobacco remayninge yett to be sould itt was agreed as pt of the Adventurors held itt requisite that M^r Leate for the better Sale of the other should have one third of the whole, vppon such Condiçons as the rest shalbe sould, and to pay for itt att such time and tymes as shalbe for that remayninge concluded vppon; Provided that itt be good & Marchauntable and for the rest beinge estimated to be about 10000 waight itt was agreed should be devided into ffive parts and have entrusted as well the deliury of the $\frac{1}{3}$ to M^r Leate as the Sale of the rest, vnto M^r Wiseman and M^r Cranmer, for the Company and for the Adventurors, M^r George Smith, M^r Rich: Paulson, M^r Caswell, and M^r Mellinge, w^{ch} beinge putt to the question was by hands Confirmed.

M^r Th^{er} signified y^t y^e Alpharbeticall Publicaçon cannot be pformd because mr Markham deteyneth the Alphabet Bookes.

M^r Markham demaundeth satisfacçon for his paines befor he deliui⁹ y^e Alphabet Bookes.

Mr Treasurer declared that for the expeditinge of S^r Thomas Smiths Accompt^s the Auditors resolved and accordinge as they hadd promised my Lord of Southampton to sett forth an Alphabeticall publicaçon of all the Adventurors w^{ch} hee reported now they could not pforme by reason mr. Markham deteyneth the Alphabett Bookes [65] notwithstandinge hee hath often beene required to bringe them either to the said Audito^{rs} or to the Courte and so had promised, who beinge now present himselfe answered that the keepinge of them could be no hinderance to their proceedings, for asmuch as they had the originall books from whence they were extracted, w^{ch} if the Company would give him satisfacçon for his extraordinary paines, hee would forthwith deliver them: Butt beinge pemptorily warned by

m^r Thřrer hee tould him that his Allegačons were false and frivelous, hee promised the next day to bringe in the Companies and for sattisfacčon of his paines, w^{ch} were saide by some to have beene greate, itt was not denyed but hee deserved recompence, butt whether from the Company, who for very small service done them had paid him liberally or from S^r Thomas Smith the rectyfyinge of whose Accompt had beene the wholl subiect of his Laboure was accordinge to the orders of the Company to be Considered in a Quarter Courte.

M^r Mellinge desyred the allowance of a bill of Adventure dewe vnto m^r Humphrey Tompkins of xij^{li}—x^s: 00: w^{ch} hee adventured in the five shillingē Lottery: w^{ch} the Court now allowed.

M^r Hum: Tomkins
bill of Adventure
allowed of

Wheras M^{rs} Anthony demaundeth some Prizes dew vnto her by the ffiue shillings Lottery the Courte have desyred m^r Iohn Wroth and m^r Cranmer to ripen the buisines of the Lotteries and then present itt to the Audito^{rs} who will take order for the payment of such pryzes as are due.

Mrs. Antho: de-
maund for prizes
due vnto her by
y^e 5^a Lotte:

M^r Deputy acquainted this Courte that the Comittees hadd agreed for the transportinge of 200 Personns more wth the owners of a Ship called the London Marchant about 300 Tunns vppon y^e same condičons as they did formerly wth Captaine Tompson, namely to pay 700^{li} before the Ship departed and 600^{li} vppon Certificate of the Ships aryvall in Virginia; The Ship to be redy in Tilbury Hope the xxth day of ffebruary next to take in the Passengers: M^r Thřrer and himselfe beinge demaunded by the said Owners to seale the Charter pty.

The Comittees
agreem^t: with y^e
owners of y^e Lo:
Marchant for
transporting 200
persons approued
of

The Court approved of the bargaine and requested them to seale the Charter party, and ordeyned that the Comp^a: should saue them harmelesse. [66]

M^r Thřrer and m^r
Depu: to seale y^e
Charter party

JANUARY THE 26th: 1619.

PRESENT.

S ^r Iohn Dauers.	m ^r Edw: Harbert.	m ^r Cranmer.
S ^r Nath: Riche.	m ^r Nicho: Ferrar.	m ^r Caswell.
S ^r Thomas Wroth.	m ^r Sheppard.	m ^r Palmer.
m ^r Io: Wroth.	m ^r Henry Briggs.	m ^r Swinhow.
m ^r Ferrar Deputy.	m ^r Bamforde.	m ^r Berblock.
m ^r Rich: Tomlyn ^e .	m ^r Kempton.	m ^r Geo: Smith.
m ^r Tho: Gibbes.	m ^r Oxenbridge	m ^r Chambers.
m ^r D ^r Winstone.	m ^r Swifte.	m ^r Couell.
m ^r D ^r Bohune.	m ^r Canninge.	m ^r Eli: Robert ^e .
		m ^r Sparrowe.
		m ^r Meuerell.
		m ^r Arrundell.
		m ^r Mellinge.

Mr Th̄rer p̄nted a
Coppie of y^e Offer
as itt is entred in
the booke of y^e Acts
of ye LL^s: Com̄issi:
of y^e Treasury.
The entringe of itt
into y^e Comp^a:
Court booke de-
ferred.

The Comittee appoynted by the last Courte to repaire to y^e Clerk of the Counsell for to see wheither their offer to his Ma^{ty}: were rightly entred and accordinge as m^r Th̄rer and the Comittee wth him had signyfied and reported, Presented now a Coppie peured by m^r Th̄rers help of the Record as itt stands entred in the Booke of Acts of the LL^s Comis̄sners of the Th̄rery; butt the entringe of the Coppie into the Court booke of this Company was deferred vnto the conclusion of a more full and ample Courte, by reason that some of the Company present were of opynyon that not onely the Pattent ought to be preserved from infryngement w^{ch} they confessed to be done, butt likewise ought to have beene strengthned, w^{ch} they said by this manner of acceptance on the Lords pts was not done.

3 seu⁹all paire of
Inden: for Land
allowed of.

M^r Deputy informed the Courte that three seuerall paire of Indentures for Land was demaunded of the Company, one by Robert Heath esquire Recorder of this Citty: The Second by William Tracy of Glocestersheire esqr for Transporta^on of 500 Personns; And the

¹ Written over Accompl^{is}.

Third to Lawrence Bohune D^r of Phisicke and James Swifte esqr: for the Transportaçon of 300 Personns, w^{ch} the Courte graunted and allowed to them, to be pformed accordinge to the orders of the Company and agreeable to former President^l of the like nature.

M^r Deputy allso signified that wheras accordinge to a former order made xv die Nouembris 1619 ther is mençon of some explynaçon to be made to some few of the standinge orders and an addiçon of two or three more to be anexed vnto them. [67]

M^r Th^rer required y^t the Comittee appoynted for them, might for that purpose meet too morrow att Two of the Clock att his howse for the better preparinge of them for the Quarter Courte w^{ch} was now accordingly ordered appoyntinge the Officer to Summon them therevnto.

The Comittee formerly apoynted for explynaçon to y^e Lawes desired to meete.

Next hee acquainted the Courte that the Comittees have agreed for Two Ships (if itt stand wth the likinge of this Courte) for y^e transportaçon of Cattle to Virginia for the Company, and those others w^{ch} will ioynwth the Company in the Charges: As allso that m^r Treasurer and himselfe will Seale the Charter ptys if they order their Securitie w^{ch} for the first poynt the Court well allowed of, and for the Second of saveinge them harmeless itt was generally assented vnto and confirmed by erection of hands.

The Comittees agrem^t for 2 Ships to transporte Cattle to Virginia: allowed of.

The Comittees beinge demaunded what they had done touchinge the Tobacco comended vnto their care, Reported that accordinge to the order in the laste Courte they had taken out one third for m^r Leate butt had not devyded the rest in :5: pts because they could not heere of any thatt would buy itt vpon w^{ch} some excepçons was taken about that alredey ordered concerninge M^r Leate, that if the rest were not sould hee paid nothing for his, therfore itt was moved that some of the Adventurers ||that they|| would take out their Divident^l att a price, Whervvpon m^r William Palmer offered to take outt his att iijs vj^d the pound and beinge conceived that others would ioynwth in the like, itt was againe referred to y^e former Comittee to study how to make the best advantage of itt they can; addinge vnto them m^r Keightley, and m^r Palmer and to p^rsent their opynions to the next Courte.

The Comittees report touchinge y^e Tobaccocomended vnto their Care.

Mr W^m Palmers proffer to take out his att 3^s 6^d aⁿ.

notice giuen by M^r
W^m: Caning of suf-
ficient men y^t will
contract wth y^e
Comp^s: for all y^e
Tobacco that
shalbe returned
from Virginia

M^r Caninge acquainted the Company that ther were diue^{rs} sufficient men that would contract wth them at reasonable pryces for all the Tobacco that shalbe returned from Virginia for a Certaine time w^{ch} hee conceived would be highly to the advancement of the Plantacon Whervppō the Courte desyred him to bring the proposiçons well digested and the names of the vndertakers vnto the next Court that there itt might be consydered of. [68]

A PREPARATIEUE COURTE HELD FOR VIRGINIA AT }
S^r EDWIN SANDIS HOUSE Y^r LAST OF IANUARY } 1619

PRESENT

Ri: hon^o: Lord Pagett.

m ^r Treasurer.	m ^r James Swifte.	m ^r Rich: Casewell.
S ^r Iohn Dauers.	m ^r Tho: Gibbes.	m ^r Paulson.
S ^r Tho: Wroth.	m ^r Iohn Ferrar Dep ^t .	m ^r Spruson.
S ^r Henry Rainsford.	Captain Bargraue.	m ^r Meuerell.
m ^r Io: Wroth.	m ^r Robert Smith.	m ^r Berblock.
m ^r D ^r Anthony.	m ^r Brumfeilde.	m ^r Leauor.
m ^r D ^r Gulstone.	m ^r Caninge.	m ^r George Smith.
m ^r D ^r Winstone.	m ^r Henr: Briggs.	m ^r Pe: Arundell.
m ^r Ri: Tomlynē.	m ^r Nicho Ferrar.	m ^r Eli: Robertē.
	m ^r Cranmore.	m ^r Tho: Mellinge.
		m ^r Steph: Sparrow.

The Comittee hau-
ing pused y^e stand-
inge orders were
presented and
read.

M^r Treasurer signified that the Comittee appoynted for pursuinge of the standinge orders have looked therinto correctinge some few & explainning others w^{ch} hee p^rsented now and red and explainned them to the Courte most of them beinge confirmed in the last § great § generall Courte, and now againe Comendinge them to their consideraçon, wherby they may receave vppon Wednesday next a fynall ratefycaçon.

And for asmuch as accordinge to a Law in the standinge orde^{rs} they are all to be read to the Court once a yeare, vizd in the Quarter Courte in Hillary Tearme, therfore moved for the fullfillinge of the same that the Company would be heere wthout faile att two of the Clocke and the rather Consideringe so much buisines as is then to be dispatched fflower seuerall paire of Indentures to fower seuerall Personns and their Associates for graunt of Land in Virginia, three paire menconed in the last Courte, and one paire since allowed to S^r Iohn Peirce and his Associates to be red allowed and sealed att that time.

Touchinge the mocon of M^r Caninge deferred from the last vnto this Courte itt is now so well conceived of the good that may accrew therby by such a Composi^{con} (if itt be truely ment) that vppon intelligence of the said M^r Caninge that they desire to converse wth some pticular men of the Company aboute itt, The Court have now made choyse of a Comittee to know their resolu^{cons}, that is to say S^r Nath: Rich, M^r Deputy M^r D^r Winstone, Cap^t Bargraue, M^r Keightley, M^r Wrote, and m^r Cranmer, and have agreed to meet to morrow afternoone att :2: of the Clocke in this place M^r Caninge haveinge vndertaken y^t fflower of those w^{ch} ppoundeth this buisiness shalbe heere att that time. [69]

The mocon of m^r Caninge at y^e Last Court well conceived of

A Comittee ap-
poynted to know
their resolu^{cons}

Wheras his Ma^{ty}: hath graunted to the Lady Lawarr a yearly Pencon to be paide vnto her by the ffarmo^{rs} of the Custome; The Company vppon her Ladyships request are content, (consideringe the Custome for y^e Aduenturo^{rs} Tobacco is not yett sattisfied) that the first pcell w^{ch} is sould if itt amount to 250^{li}: so much beinge due vnto her vppon her Share shall be paid vnto her or else so much Tobacco presently (if her Ladyship please to accept thereof) att such price as the rest shalbe sould or taken off of their hands, And for their discharge to take a receipt from the ffarmors of the Custome.

The first parcell of Tobacco sould if it amount to 250^{li}: to be p^d y^e La: Lawarr.

And takeinge into Considera^{con} the losse the Adventurers have susteyned by the Tobacco remayninge vppon their hands, and the daunger they stand in of a great deall more, if the Ships should com from Virginia and y^e Somer Ilands as they dayly are expected, therfore itt was propounded to the Adventurors to take out their Capitoll^e at iiij^s a pound and soe each make the best of itt hee cann, butt some

The loss of y^e Adventurers considered by haueing their Tobacco ly vppon their hande.

A pposi^{con} for euery one to take out their Capitoll^e.

thinkinge itt was too much and that rather iij^s vj^d was ennough: itt was agreed to be putt to y^e question w^{ch} done most voyces allowed of iiij^s, and hee that would be willinge at this price to take out more then his Capitall should have Six and Six monneths for payment, butt entringe into dispute, whether such as tooke outt their Capittall^e in that manner shall Coparte of such proffits as may heer after accrew vnto the rest, itt could not now be agreed vppō butt was referred to be debated further att the Quarter Courte when more of the Adventurers shalbe present.

The orders from
y^e LLo^s Comis-
sioners referred.

Touchinge the orders from the LL^s: Comissioners they were referred to the Consideraçon of this Quarter Courte.

The Coppy of y^e
Citties demaund^e
touchinge y^e 100:
Children to besent
to Virginia recti-
fied.

M^r Th^rer and m^r Deputy haveinge had much Conference with the Lord Maior and Aldermen about the 100 Children intended to be sent found them att the first well adicted and affected vnto theire demaund^e. butt since some p^ticular psonns lesser respectinge (as should seeme) the Companies good have occasioned such straunge demaunds as is not fittinge for them to aske, nor can no wayes by the orders of this Company be graunted, and therfore have determynd to rectifie the Coppy of their demaunds so farr as may stand with the orders of the Company to graunt and so to returne itt to the Courte of Aldermen to morrow att tenn of the clock to accep^t therof or noe [70] to w^{ch} purpose is desyred S^r Thomas Wroth, S^r Henry Rainsforde M^r Iohn Wroth, and M^r Deputy.¹

2 Shares allowed
to Iohn Archer.

Itt was ordered in regard sufficient testimony beinge produced that Iohn Archer brother of Captaine Gabriell Archer disceased in Virginia is the next heire vnto him, that the said Iohn Archer shall have two Shares, said to belonge to the said Captaine: vizd one share for xij^{li}—x^s adventured, and the other for the Adventure of his psonn.

Stephen Sparrow:
1: Share to Iohn
Hope.

M^r Stephen Sparrow assigned to Iohn Hope Marriner one share of xij^{li}—x^s.00 allowed by the Audito^{rs} and confirmed by this Courte.

¹ An order of the Privy Council, of this date, authorizing the sending of 100 children to Virginia is given in List of Records, No. 161, page 139, *ante*.

ATT A GREATE AND GENERALL QUARTER COURTE
 HOLDEN FOR VIRGINIA AT S^r EDWIN SANDYS
 HOUSE NEER ALDERSGATE THE SECOND OF FEBRUARY
 1619

WERE PRESENT

The Right Honorable: William Earle of Pembroke.
 Henry Earle of Southampton.
 Robert Earle of Warwicke.
 Iames Vicont Doncaster.
 The Lord Cauendish.
 The Lord Pagett.

S^r Edwin Sandys Knight Th̄er.

S ^r Tho: Roe.	m ^r Iohn Wroth.	m ^r Edwards.
S ^r Dudley Digge.	m ^r Ferrar Dep ^{ty} .	m ^r Bull.
S ^r Tho: Gates.	m ^r Tho Gibbe.	m ^r Couell.
S ^r Iohn Dauers.	m ^r Samu: Wrote.	m ^r Woodall.
S ^r Henry Rainsforde.	Cap ^t Bargraue.	m ^r Darnelly.
S ^r Nath: Rich.	m ^r Rogers.	m ^r Casewell.
S ^r Io: Wolstenholme.	m ^r Bromfeilde.	m ^r Swinhow.
S ^r Henry Iones.	m ^r Keightley.	m ^r Moorer.
S ^r Tho: Wroth.	m ^r Ia Swifte.	m ^r Roberte.
D ^r Anthony.	m ^r Bamforde.	m ^r Sparrow.
D ^r Gulstone.	m ^r Wheatley.	m ^r Mellinge.[71]
D ^r Winstone.	m ^r Berblock.	
D ^r Bohune.	m ^r Briggs.	
	m ^r Cranmer.	

Accordinge to a standinge Order the Lawes of the Company being 120: in nomber and devided into eighteene Chapters or Tyttles were now red vnto this greate Assembly, w^{ch} ended mr Th̄er related that the Kinge out of his greate care and wisdomed had graunted to the Company by his most gracious Lres Pattents, fflower great and generall

The Lawes red.

m^r Th̄er signified:
 4speciall things re-
 serued to y^e 4: Qua:
 Courtē by Ma^{ty}:
 Lres Pattentē.

Courts in the yeare comonly called Quarter Courtes to be held in the 4 Tearms, vnto w^{ch} was reserved 4: speciall things.

1: The makinge of Lawes and Orders. 2: Choyse of Officers 3 Graunts of Land. 4: Matter of Trade.

1
Addiçons to y^e
Lawes. ffor the first hee pceeded as formerly hee had done, that nothing was so pfect wherin time discouereth not some impfecçons, so in y^e Lawes some thinge beinge found defective comēded to their Consideraçon some small Addiçon and Correcçon of them formerly allowed in the laste Quarter Courte thence referred to a Comittee by them presented to the Councell, and lastly read in the precedinge Preparative Courte: explaininge what was pformed vnto seuerall Tytles:

The Confirmaçon
of them propound-
ed in 2 questions To the Tytle of Court℄: 3: Laws is added; To the Tytle of Treas-
uror—2: To the Tytle of Deputy. 1: To the Tytle of Counsell—1:
To the Tytle of Graunt℄ of Land—2: in the Tytle of Generalltye an
amendm^t or Addiçon of 2 wordes, in the Sixt order afterward (Court)
is added (or Councell) and so in the 13th order of Tytle of Treasurer
after the word (quorum) is added (vnderneath or) W^{ch} Correcçons
& Addiçons beinge approved off M^r Thīrer propounded y^e confirmaçon
of them in two questions; the one whether they would allow of y^e
addiçon of these two words in the said Tytles of Treasurer, and Gen-
erallyty to be incerted there in the face of the Courte; And whether
they would consent that the resydue should be entred by the Secre-
tary amongst the rest (accordinge to their referrences) in the booke
of Lawes and standinge Orders both w^{ch} by a Generall erecçon of
hands was ratefyed.

2:
Choosing Officers. To the second poynt of Choosinge Officers he acquainted y^e accordinge
to the said Tres Pattents itt was no Courte vnless five of y^e Counsell
No Courte Vnless
5: of y^e Councell
be pīnt: were present by defect of w^{ch} number of the Councell ~~were~~ they
are often times att their Courts in tymes of Vacation inforced to stay
very longe before that number of the Councell be assembled by reason
such as frequents the Court are either in y^e Countrie or imployed in
other buisines, that they cannott attend, therfore vppon Moçon from
the Councell, hee nominated 2: vnto y^e Courte M^r Robert Heath
Recorder of this Citty who hath been and is a great Adventurer and

2 nominated to be
of the Counsell.

favourer of the Accon: And Thomas Gibbs Esquire a gentleman of good sufficiencie, and great zeale [72] to the Accon, who for diuer^{rs} years hath given diligent Attendance at all Courts and is imployed a Committee allmoste in all buisinesses, w^{ch} Two being putt to the question were admitted to be Councello^{rs} of Virginia by free Consent.

The Third of Graunt^e of Land hee acquainted them of fower seu⁹all ³ Grant^e of Land: paire of Indentures lyinge all ingrossed before them graunted one to M^r Robert Heath Recorder of London and his Associates, the s^cond ⁴ Paire of Indentures allowed of to Doctor Bohune, Iames Swifte and their Associates for Transportinge of 300 Personns: The Third to William Tracy esquire and his Associates for Transportacon of 500 Persons, and the ffowerth to Iohn Peeirce and his Associates their heirs and Assignes w^{ch} beinge all fowre now red and examined and fyndinge them agree wth the draughts p^{rs}ed and allowed by the Audito^{rs} were all of them allowed and Sealed in veiue of the Courte wth a Totall Approbacon

Itt was ordered allso by generall Consent that such Captaines or lead^{rs} of Peticulerr Plantacons that shall goe there to inhabite by vertue of their Graunts and Plant themselvs their Teñnt^e and Ser^v- ^{Captaines or Leaders of Peticuler Plantacons to make orders C^r.} ñnt^e in Virginia, shall have liberty till a forme of Gouverment be here settled for them, Associatinge vnto them diuers of the gravest & discreetes of their Companies, to make Orders, Ordinances and Constitucons for the better orderinge and dyrectinge of their Servants and buisines Prouided they be not Repugñnt to the Lawes of England.

Touchinge the fowerth poynt matter of Trade, M^r Treasuror acquainted ⁴ Matter of Trade. the Courte, that the Magazine had now voluntarylie dissolved ~~her~~ ^{The Magazine being dissolved Matter of Trade is free for all men.} § itt § selfe, wth provision graunted for their goods remayning in Virginia so that now matter of Trade was free and open for all men wth that provision.

Itt was now allso agreed touchinge the Order of y^e Lords Comissioners that the Company should be humble suto^{rs} vnto their LL^{ds}: ^{The Comp^a to be suto^{rs} to y^e Lords for some amendment in y^e Order.} for some small amendment in the forme therof, M^r Th^rer signifyinge that the Counsell of Virginia sittinge wthin before the Courte there beinge present all the Noble Lords before sett downe resolved that

nothinge in y^e
Pattent to be in-
fringed.

A Comittee to sett
downe y^e Comp^s:
meaninge in writ-
inge.

The determinaçon of
y^e Tobaccoreferred.

The Coppie of y^e
Citties Demaunds
touchinge y^e 100
Children Correct-
ed.

A fre written to
y^e Lord Maior from
y^e cheife of y^e
Counsell.

The Letter.

they could not yeild to any thinge that might infringe theire [73]
Pattent w^{ch} resoluçon was wth generall demonstraçon of ioy embraced
by the Courte, and therefore desyred to choose a Comittee for that
purpose to w^{ch} end was nominated the Right Hono^{le}: the Earle of
Warwicke, The Lord Cauendish, The Lord Pagett, M^r Treasurer,
S^r Dudley Diggs, S^r Iohn Dauers, S^r Henry Rainsford S^r Nathaniell
Rich: S^r Lawrence Hide, Mr X^o: Brooke, M^r Nicho Hide, M^r Deputy,
Dr Winstone, M^r Gibbs, M^r Keightley, and M^r Cranmer who are desyred
to sett downe the Companies meaning in writing and present itt to
the LL^s: when M^r Thr^rer shall thinke itt Conuenient to Summon them.

Touchinge the Determinaçon of the Tobacco referred vnto this Courte
belonginge to the Adventurers of the Magazine vppon the Moçon of
S^r Iohn Wolstenholme itt is deferred till to morrow afternoone, Att
w^{ch} time the Adventurers onely are desyred to meete att m^r Ferrars
house to consider of the best course and conclude therof accordinglie.

The Demaunds of the Citty read the last Courte concerninge the hun-
dredth Children beinge much distasted of this Company beinge such
as were repugnant to the standinge Orders w^{ch} w^{ch} Could no way
be dispensed wth,¹ therefore the Comittees have rectefyed and Cor-
rected the Coppy so farr forth as may stand wth the Orders to admitt,
and have written a fre to the Lord Maior from the Cheife of the
Councell agreeinge to send the fre and returne the altered Coppie to
morrow morninge to the Courte of Aldermen, requestinge S^r Thomas
Wroth, and m^r Gibbes to deliuer them, and require their speedy reso-
lucōns because the spedye deputation of the Ships will suffer no delays
this followinge beinge the true Coppie.

Wheras the number of One hundredth Children whose names are hereafter
mençoned were the last Springe sent and transported to the Virginia Company
from the Citty of London vnto Virginia And towards the charge and for
the transportaçon and apparrellinge of the same One hundredth Children a
Collecōn of the some of ffive hundredth pounds was made of divers well &
godly disposed psons [74] Charitably mynded towards the Plantaçon in Vir-
ginia dwellinge wth in the Citty of London and Subvrbs theirow, and theruppon
the same ffive hundredth pounds was paid vnto the saide Company for the pur-

¹The word "wth" written over "of."

pose aforesaid, And thervyppon for the good of the same Children and in Consideraçon of the premises, Itt is fully concluded ordered & decreed by and Att a generall Quarter Courte this day houlden by y^e Treasuro^r Councell and Company of Virginia that every of the same Children w^{ch} are now liveing att the charges and by the provision of y^e said Virginia Company, shalbe educated and brought vpp in some good Trade and profession wherby they may be enabled to gett their liveinge and maynteyne themselvs when they shall attaine their seuerall ages of fflower and twenty years or be outt of their Apprenti- ships, which shall endure att the least seaven years if they soe longe live.

And further that every of the same Children (that is to say the Boys att their Ages of one and twenty years or vpwards and the maydes or girles att their Age of one and twenty years or day of marriage w^{ch} shall first happen, shall have freely given and allotted vnto them ffiftie Acres of Land a peec in Virginia aforesaid wthin the lymi[ts] of the English Plantaçon the said Acres to be apoynted according to the Statute De terris mesurandis, in England and that in convenyent place or places to hold in ffee simple by Socage tenure to every of them and their heirs for ever freely att the Rent of xij^d by y^e yeare in full of all rents or other payment or service due vnto the Lord therefore to be rendred or donne.

If the Lord Maior, Aldermen, and Common Councell shall not be sattisfied wth the Companies reasons (who desyre that some of themselvs may be admitted to alledge them) that itt is bette^r for the fformer Children to have the same Condiçons wth these latte^r the Company wilbe content to lett itt pass for this time yett wth this protestaçon; That as itt is not beneficiall to the Children, so itt is the extreame wrong & preiudice of the wholl Plantaçon.

And wheras allso itt is intended and fully resolved that this next Springe the number of one hundreth Children more whose names are likewise hereafter mençoned, shalbe sent and Transported by y^e said Virginia Company out of the Cittie of London vnto Virginia aforesaid and that towards the Charge of transportinge and apparrelling y^e same Children the like Collecçon of ffive hundreth pounds of men godly and Charitably disposed towards the said Plantaçon w^{ch} doe reside wthin the said Citty and Subvrbs therof is to be made, and vppon the Collectinge therof the same shalbe paid to the said Virginia Comp^a: for the purpose aforesaid; Now therfor for the good of the same Children, and in Consideraçon of the p^rmisses, Itt is fully concluded Ordered, and decreed att a great and generall Quarter Courte this day holden by the Treasuror, Counsell, and Company of Virginia that the said hundred Children last mençoned shalbe sent att the [75] Virginia Companies charge and duringe their Voyadge shall have their provision of victuall sweet and good and well apparrelled and all other things neces-

sary for the Voyage: And that every of the same Children shalbe there placed Apprentizes wth honest and good Maisters that is to say the boyes for the tearme of seaven years or more; and so as their Apprentishippes may expire att their seuerall Ages of one and twenty years or vpwards; And the mayds or Girles for the tearme of seaven years or vntill they shall attayne their Ages of one and twenty years or be marryed to be by the same Maisters during that time educated and brought vpp in some good Craftes, Trades, or Husbandry wherby they may be enabled to gett their liveinge & mayntennāce for them selvs when they shall attaine their seuerall ages or be outt of their Apprentishippes ||and during their Apprentishippes|| shall have all things pvided for them as shalbe fitt and requisite as meate, drinke, Apparrell, and other necessaries. And further that att the expiraçon of their seuerall Apprentishippes every of y^e said Children shall have freely given vnto them and provided for them at the said Companies charge, provision of Corne for Victuall^e for on wholl yeare And shall allso have a house redy builded to dwell in, and be placed as a Tennant in some conveyent place vppon so much land as they can mannage; And shall have one Cowe and as much Corne as hee or shee will plant, and forty shillings in monny to Apparrell them, or Apparrell to that value: And shall allso have Conveyent weapons Muniçon and Armo^r for defence, and necessary implem^{ts} & vtensill^e for houshold, and sufficient workinge Tooles and Instrument^e for their Trades, labor and husbandry in such sort as other Tenñt^e are pvided for.

Moreover that every of the same Children last mençoned w^{ch} shall have thus served their Apprentishippes and be placed and provided for as aforesaid shalbe Tyed to be Teñnts or ffarmers in manner & forme afore said for the space of Seaven years after their Apprentishippes ended, and duringe that time of their labour and paines therein they shall have halfe of all the encrease profitt and benefitt y^t shall arise grow and encrease by the mannageinge therof aswell y^e frutes of the earth the increase of the Cattle as otherwise, And the other moytie therof to goe and remayne to the Owners of the Land, in liew and satisfacçon of a Rent to be payd for the same Lande so by them to be occupied, And that att the expiraçon of the same last Seaven years every of the same Children to be att liberty either to Continue Tenñt^e or ffarmo^{rs} to the Company vppō the same Lands if they will att the same rates and in the manner aforesaid or else provide for them selvs elsewhere.

And lastly that either of the same Children att the end of the last seaven years shall have moreouer five and twenty Acres of Land to be given and allotted to them in some Conveyent place or places wthin the English Plantaçons in Virginia afore-said, to hould in fee Socage simple by Socage tenure to every of them and their [76] heirs, for ever freely for the Rent of Six pence for every five & twenty

Acres by way of quitt Rent in leuwe of all services in regard of the tenure;
All w^{ch} p^mises wee the said Treasuror, Counsell, and Company doe order and
decree and faithfully promise shalbe iustly and truly p^formed towards the said
Children accordinge to the true intent & meaning therof.

A Lre from an vnknowne person was read dyrected to m^r Treasuro^r A Lre from an Vn-
p^misinge five hundred pounds for the educatinge and bringinge vpp kowne pson prom-
Infidelle Children in Christianitye w^{ch} M^r Treasuror not willinge to ising 500^{li}
meddle therewith alone desyred the Court to apoynt a select Committee
for the mannadginge and imployinge of itt to the best to w^{ch} purpose
they have made choyse of the

Lord Pagett.	m ^r Tho: Gibbes.
S ^r Tho Wroth.	D ^r Winstone.
m ^r Io: Wroth.	m ^r Bamforde &
m ^r Deputie.	m ^r Keightley.

The Copsy of w^{ch} Letter ensueth.

S^r yo^r Charitable endeavo^{rs} for Virginia hath made yo^u a ffather wee a favourer The Letter
of those good worke^r w^{ch} although heretofore hath com neer to their birth yett
for want of strength could never be delivered, (envy & division dashinge these
younglings even in the wombe) vntill yo^r helpfull hand wth other honorable
p^{er}sonages gave them both birth and beinge, for the better cherishinge of w^{ch}
good and pious worke seeinge many castinge guift^e into the Treasury, I ame
encouraged to tender my poore mite and although I cannott wth the Princes
of Issaker bringe Gould and silver Coveringe yett offer here what I cann, some
Goat^e hayre necessary stuffe for the Lords Tabernacle, protestinge heer in my
sinceritie wthout papisticall merritt or pharasaicall applause wishing from my
part as much vnitie in yo^r honorable vndertakinge as theris sinceritie in my
designes, to the furtherance of w^{ch} good worke, the Convertinge of Infidles
to the fayth of Christe I p^mised by my good frends 500^{li} for the mayntenance
of a Conuenyent number of younge Indians taken att the age of Seaven years
or younger & instructed in the readinge and vnderstandinge the principalls of
Xian Religion vnto the Age of 12 years and then as occasion serveth to be
trayned and brought vpp in some lawfull Trade wth all humanitie and gentle-
ness vntill the Age of one and Twenty years, and then to enioye like liberties
and pryveledges wth our native English in that place and for the better p^form-
ance therof yo^u shall receave 50^{li} more to be delivered into the hands to two
religious p^{er}sons wth securitie of payment who shall once every Quarter examine

and certifie to the Treasurer herein England the due execucon of these premises together wth the names of these Children thus taken, their foster ffathers and ouerseers [77] not doubtinge butt yoⁿ are all assured that guiftes devoted to Gods service cannott be diverted to pryvate and ~~singular~~ §secular§ advantages without sacriledge, if yo^r graver iudgments can devise a more charitable course for such younge Children, I beseech yoⁿ informe my frend wth yo^r securitie for true pformance and my benevolence shalbe allwaies redy to be delivered accordingly, the greatest Courtesie I expect or crave is to conceale my frends name least importunytie vrge him to betray that trust of secresie w^{ch} hee hath faythfully promised, hee that moved my harte to this good worke, dyrect yo^r Charitable endeavours herein, whylest I rest as I ame

Dust and Ashes

Directed To S^r Edwin Sandys y^e faithfull Treasurer for Virginia.

D^r Bohunes request to passe.

D^r: Bohunes requests beinge read the Courte have intrusted the Auditor^s to rectefye w^{ch} is agreed shall passe (beinge putt to the question) by ereccon of hands.

To write to y^e Gouernor to sett out 400 Acres of Land for Cap^t Powell & m^r Io: Smith

The Petiçon of Cap^t Powell and m^r Iohn Smith beinge presented by their brother Prouest Marshall of Middlesex to have graunt of the Company 400 Acres of Land for fiftie pounds Adventure betwixt them vizd, One hundreth lyinge in one pcell between the Sunken Marsh one the other side the River against Iames Citty Land, and Choapooks Creek, and one pcell of Marsh Land conteynninge 300 Acres called Hogg Iland, The Court held itt inconvenyent to graunt Land in that kinde, pickt out by the Plante^{rs} themselvs not knowinge who allredie may lay clayme thervnto or otherwise how necessary itt may be for the publique; Butt m^r Treasurer in regard of the good affeccon declared by their brother to the Companies service hath promised to write to the Gouernor that the said 400 Acres shalbe well sett out for them and to their Content wth reason.

Frauncis Cartere Petiçon referd to y^e Auditor^s.

A petiçon was exhibited, by ffrauncis Carter the Companies Officer desyringe that forasmuch as hee hath worne himselfe outt in the Companies service beinge nowe growne lame, that now in his olde age they would please to take his Case and necessitie into favourable consideraçon etē, w^{ch} by reason itt grew late was referred vnto the Auditor^s to p̄sent to the Courte their opinions touchinge the best means to rewarde him.

Peter Arundles Petiçon to have his Shares explayned to be double Shares refered to the Audito^{rs} to vew his buisines how itt stande and reporte itt to the Courte. [78]

Pe: Arundles Petiçon referd to y^e Audito^{rs}.

Captaine Bargraues request to have a Comission for y^e determyninge of some Controversies betweene him and Cap^t Martine resydent in Virginia was allso referred vnto the Audito^{rs}.

Cap^t Bargraues request referd to y^e Audito^{rs}.

The Charter party betweene the Owners of the London Marchant and m^r Treasurer and Deputy was now Sealled and delivered.

The Charter partie for y^e Lond: Marchant sealed.

FEBRUARY Y^e XVJth 1619.

PRESENT

S^r Edwin Sandys Kn^t Treasurer.

S^r Thomas Roe. m^r Reignolde.

m^r Caswell.

S^r Iohn Dauers. m^r Keightley.

m^r Cranmer.

S^r Henry Rainsford. m^r Sam: Wrote.

m^r Bull.

S^r Tho Gates. m^r Aug: Steward.

m^r Eyres.

S^r Tho: Wroth. m^r Bamforde.

m^r Couell.

S^r Harry Iones. m^r Hen: Briggs.

m^r Geo: Smith.

m^r Iohn Wroth. m^r Swinhowe.

m^r Ely: Robert.

m^r Deputy. m^r Caninge.

m^r Mellinge.

m^r Tomlyn.

Wth others.

Cap^t Bargraue. m^r ~~Bearblock.~~

Vppon the desire of Cap^t Brewster his buisines was once more deferred to the next Preparative Courte w^{ch} is agreed then to be heard betwixt him and Cap^t Argoll, and to that end have given order that the said Cap^t Argoll be acquainted therwith and required then to attend.

Cap^t Brewsters buisines Deferrd.

Five Shares formerly given by S^r Thomas Roe kn^t to Peter Arundell w^{ch} were Confirmed vnto him in a Courte held the first of October 1617 The said Peter Arundell in Consideraçon of a Certaine some of

5 Shares ressigned by Peter Arundell to S^r Tho: Roe

monney paid vnto him by the said S^r Tho: Roe hath ressigned the said ffive Shares vnto the said S^r Thomas Roe, w^{ch} the Audito^{rs} haveinge allowed were by this Courte Confirmed.

M^r Th^r acquainted
ed the Courte of
Lres receiued fro
Virginia

M^r Treasurer acquainted the Courte that hee had receaved Lette^{rs} from Virginia importinge the wellfare of the Plantacon although they have been much distempord by reason of an intemperate heate not onely hapninge vnto them but chiefly amongst the Indians requestinge that the Company would send them some Phisitians and Appothycaries of w^{ch} they stand much need off: relatinge allso to y^e great Comforte of the Comp^a: and encouragm^t of those w^{ch} shall send the plenty of Corne that God this yeare hath blest them with the like never happened since the English was there planted haveing had two harveste, the first beinge shaken with the winde pduced a second, and the ground beinge so extraordinary ffatt & good y^t sowinge Indian Corne vppon that stuble they had likewise a great Cropp therof.¹ [79]

Cap^t Spillman
made a seruant to
y^e Collony.

Signifyinge allso that one Cap^t Spillman who thought to deprave y^e Gou⁹nor of his Authoritie by his instigacon to Opoehankino, of a great man y^t should com and putt him out of his place, The said Gouernor and Councell of State have pceeded in due tryall of him butt beinge mercifull in spareinge his life have degraded him from his Cap^t: Ship and made him a ser^vnnnt to the Collony for Seaven years in quallytie of an Interpreter.

Other matter theris to acquainte them wth w^{ch} when hee hath read the rest of the letters hee will the next Courte reporte vnto them.

The Citty yeilded
to y^e Lre:

The Letter the last Quarter Courte signed by the Lords directed to the Lord Maior of London tooke such effect as m^r Th^rer sayeth the Citty yeilded to itt:

m^r Th^rer: reporte
of y^e 500^{li} giuen for
educatinge y^e In-
fidles Children.

Wheras the last Court a speciall Comittee was appoynted for y^e man- naginge of the 500^{li} given by an vnknowne pson for educatinge the Infidles Children M^r Th^rer: signified that they have mett, and taken into consideracon the proposicon of S^r Iohn Wolstenholme, that Iohn

¹ A series of letters, written between January 13 and 21, and received about this time, are mentioned in List of Records, Nos. 156-159, page 138, *ante*.

Peirce and his Associates might have the trayninge and bringinge vpp of some of those Children butt the said Comittee for divers reasons thinks itt inconvenyent, first because they intend not to goe this 2 or :3: monneths and then after there arryvall¹ wilbe longe in settlinge themselves, as allso that the Indians are not acquainted wth them, and so they may stay 4 or 5 years before they have account that any good is donne.

And for to putt itt into the hands of pryvate men to bringe them vpp att x^{li} a Childe as was by some proposed they hould itt not soe fitt by reason of the causualty vnto w^{ch} itt is subiect.

Butt forasmuch as divers hundreds and pticularr Plantaçons are all-redie there settled and the Indians well acquainted wth them, as namely, Smithē Hundred, Martinē Hundred, Bartlettē Hundred & the like that therfore they receave and take charge of them by w^{ch} course they shalbe sure to be well nurtured and have their due so long as these Plantaçons shall hould, and for such of the Children as they find Capable of Learninge shall be putt in the Colledge and brought vpp to be schollers, and such as are not shall be putt to trades, and be brought vp in the feare of God & Christian religion, And beinge demaunded how and by what lawfull means they would procure them and after keep them that they runn not to their parents or frends, and their said Parrents or frends steale them not away w^{ch} naturall affecōn may inforce in the one and the other, itt was answered and well allowed that a treaty and an agreement be made wth the Kinge of that Country concerninge them w^{ch} if itt soe fall out att any time as is exprest they may by his Commaund be returned. [80] Whervppon S^r Thomas Roe promised that Bartley Hundred should take two or three for w^{ch} their well bringinge vpp hee and m^r Smith pmised to be respondents to the Company, and because every Hundred may the better consider hereof they were lycensed till Sunday in the after-noone, att w^{ch} time they sitt att m^r Treasurers, to bringe in their answers how manny each will have and bringe those that wilbe respondent for them, & those that others will not take, M^r Treasurer in the behalfe of Smithē hundred hath promised to take into their charge.

¹ "Arryvall" is written over "arryvinge" by the reviewer.

The proposiçons
for takinge the
Tobacco att a prize
Confirmed.

The Proposiçons w^{ch} were by sundry of the Adventurers allowed of att a meetinge of them att S^r Thomas Smiths house the 14th of February aboute takinge off the Tobacco att a price beinge now putt to y^e question was confirmed, Comendinge itt to m^r Caswell to procure others ||to write|| for y^e rest.

Officers for man-
aginge & lookinge
to y^e buisines.

And fallinge into dispute aboute the Debt℥ what course should be taken for gettinge them in, M^r Thr̃er made knowne that of necessitie there must be Officers Chosen for the mannaginge and lookinge to the buisines first for the callinge in of the Debt℥ by sendinge their ticketts vnto them to bringe in their monny, and vppon refusall to putt them in sute 2: to authorize their warrants for payinge of debts, :3: to dispose of their Affaires in Virginia, 4: and lastly in lookinge to the Accompts & pfectinge them, for the last itt was thought good by some y^t m^r Essington should be entreated to pceed wth them, and for the mannaginge of the rest vppon nominaçon ther was made choyce of, m^r Bull, m^r Cranmer and m^r Caswell, and beinge putt to the question was ratefyed by erecçon of hands.

3 Comissions
sealed.

Three Comission℥ beinge presented to the Courte was allowed to be sealled one to William Shawe m^r of the London Marchant the other to Cap^t Iones m^r of the Faulcon, and the third to m^r Edmond℥ m^r of the Tryall to sett saile wth the first fayre winde for Virginia.

Cap^t Bargraues
Comission to be
sealed.

Captaine Bargraues Comission for the determyninge some Controu^sies betweene him and Cap^t: Iohn Martin in Virginia beinge now presented the Court therof allowed & agreed that the seale should be therevnto affixed.

M^r Markham pre-
sented 4 books and
4 Rolls.

M^r Markham beinge formerly requyred for the bringinge in the resy- due of the book℥ and Rowles remayninge in his Custodie, presented now to the boorde 4 books, and 4 Rowles of subscripçons w^{ch} were Comended to the Care of m^r Deputy desyringe the Courte to take into Consideraçon, that for his extraordinary paines hee might have sattis- facçon, w^{ch} pointe beinge long disputed betwixt m^r Th̃er and him, itt was att length referred to the Audito^{rs} to consider thereof. [81]

FEBRUARY Y^e 22th [1619-20]:

PRESENT.

m ^r Treasurer.	m ^r Rich: Tomlyn ^e .	m ^r Ri: Wiseman.
S ^r Io: Dauers.	m ^r Samu: Wrote.	m ^r Fra: Meuerell.
S ^r Tho: Gates.	m ^r Keightley.	m ^r George Smith.
S ^r Nath: Rich.	m ^r Wheatley.	m ^r Abraham Chamberlyn.
m ^r Iohn Wroth.	m ^r Cranmer.	m ^r Henry Briggs.
m ^r Iohn Ferrar.	m ^r Berblock.	m ^r Elias Robert ^e .
m ^r Tho: Gibbes.	m ^r Robert Smith.	m ^r Nicho: Ferrar.
m ^r D ^r Anthony.	m ^r Richard Wiseman.	m ^r Thomas Mellinge. ¹
m ^r D ^r Winstone.	m ^r Crowe.	

And forasmuch as the Courte by the Gouverno^{rs} letter is given to vnderstand that the inhabitants are very desiorus to have Engineers sent vnto them for the raysinge of ffortefycaçons for w^{ch} they are content amongst themselves to beare the charge therof, vpon w^{ch} S^r Tho: Gates is entreated to write his pryvate letters of dyrecçons both in regard of his skill therin, as allso of his knowledge of the Country, as allso that hee together wth S^r Nath: Rich conferr wth generall Cæsill therin, whose assistance in a former Courte touchinge the same buisines was entreated w^{ch} they have p^mised to doe. [82]

S^r Tho: Gates de-
syred to write pry-
uate lres of di-
recçons

A Box standinge vpon the Table wth this direcçon, to S^r Edwin Sandis the faithfull Treasurer for Virginia, hee acquainted them that itt was brought vnto him by a man of good fashion who would nether tell him his name nor from whence hee came, butt by the Subscripçon beinge the same wth letter hee coniectured that itt might be the

¹ A blank space of one-half page in the manuscript follows.

The Box of 550^{li} to
be wholly in y^e
charge of Smiths
hundred.

550^{li} promised therin. And itt beinge agreed that the Box should be opened therwas a bagg of new golde conteyninge the said some of CCCCCL^{li}: whervppō Docter Winstone reportinge what the Comittee held requisite for the mannaginge therof and that itt should be wholly in y^e charge of Smiths hundred itt was desyred by some that the resolu^{ti}on should be p^resented in writinge to the next Courte w^{ch} in regard of the Ashwednesdays sermon was agreed to be vppon thursday after.

The scarsity of
Mynisters Consid-
ered offe.

Vppon good considera^{ti}on of the scarcetie of the Mynisters that is this day remayninge in Virginia haveinge eleaven Burroughs and not aboute five Mynisters: M^r Th^rer now comended to be considered by y^e Courte the sendinge of one sufficient Deuine to each of those Burroughs, for the Comfort of the soules of the inhabitants, by preachinge and expoundinge the word of God vnto them: And for the drawinge and encourragm^t of such Preachers herevnto acquainted them of 100 Acres of Land accordinge to former order to be allotted them w^{ch} they beinge vnable to mannage alone are vnwillinge to goe ouer, therfore because itt may be p^repared for them hee would that there might be sentt six men as Tennāts to each of the 100 Acres of Gleabe in the saide Burroughs, in doinge of w^{ch} a yearly maintenance wilbe raysed vnto them of w^{ch} the Company to bear the whole charge of them w^{ch} shalbe transported to the Colledge Land, the Gouverno^{rs}, and the Companies, and for those six that shalbe sent by p^ticular hundreths the Company for their better provoca^{ti}on therevnto shall furnish out three to each, vppon condi^{ti}on that the p^ticular Planta^{ti}on make vp the other three, w^{ch} being putt to the question was generally well allowed of, whervppon itt was thought very expedient that my Lord of London should be solicited for the helping them wth sufficient Mynisters, as also such of the Company as wth out favour or affeccion could heare of any that were ~~cinccire~~ ||sincere|| and devoute in that callinge and were desirous to goe, that they would acquainte the Courte therewith that they may be entertayned.

my Lord of Lon-
don to be solicited
for helping them
wth sufficient Myn-
isters

M^r Th^rer also signifyinge y^t all Indentures of Land w^{ch} yett have been graunted to p^ticular Societies are to come vnder the Seale againe,

therefore moved y^t a new Coveñnt might be incerted for their mayntenance of a sufficient Mynister w^{ch} being done the Country wilbe well planted therwth, w^{ch} was well approved of.

Hee allso signified vnto them of the Ballatinge Box standinge vppō the Table how itt was intended att first an other way as might appeare [83] by the Armes vppon itt butt now m^r Holloway had given itt freely to this Company that therefore to gratefie him they would entertaine him into there Societie by giveinge him a single Share of Land in Virginia w^{ch} beinge putt to the question was ratefyed vnto him, whervppon m^r Deputy was entreated to provide a Case for the better preseruinge of itt.

M^r Holloway made free by giueing him a single share.

A Case for y^e Ballatinge Box.

Vppon the request of Richard Francke esquire to have 200 Acres of Land layd outt for 4 men w^{ch} are to be transported to Virginia and are allredy paied for vnto two of his sonns, W^m: and Arthur Francke there resydinge m^r Th̄r hath promised to write to the Gouvernor for the effectinge of his desire.

200 Acres of Land to be layd out for M^r Richard Francks two Sonns.

A Comission beinge now presented for §the§ m^r ~~Richard Francks two Sonnes~~ of the Swan of Barnstaple for takinge the first optunytie of winde and wather for Virginia was allowed to be sealed.

The Comission for y^e Swan of Barnstable to be sealed.

Wheras some principall of y^e Magazine Aduenturers for the better putting of of the Tobacco had signed to certaine Articles for takinge halfe therof vppon Condiçon that all the rest should be written for by Certaine time, w^{ch} tyme beinge expired and nothings pformed, the Adventurers now present have agreed, and to that end tyed themselves that if those w^{ch} have subscribed please to stand ther vnto they will not sell the rest att lower price w^{ch} if they doe then they to pay no more then the rest shalbe so sould for.

Magazine Aduenturers signed to Certaine Articles

MARCH Y^e SECOND 1619

PRESENT.

m ^r Theſſer.	D ^r Winstone.	m ^r : Augu: Stewarde.
S ^r Io: Dauers.	m ^r Rich: Tomlyn ^e .	m ^r Swinhowe.
S ^r Baptist Hickes.	m ^r Ro: Smith.	m ^r Bull.
S ^r Io: Wolstenholme.	m ^r W ^m : Caninge.	m ^r Casswell.
S ^r Nath: Rich.	m ^r Cranmer.	m ^r George Smith.
m ^r Io: Wroth.	m ^r Keightley.	m ^r Meuerell.
m ^r Deputy.	m ^r Briggs.	m ^r Arundell.
m ^r Tho: Gibb ^e .	m ^r W ^m : Essington.	m ^r Baldwin.
m ^r Sam: Wrote.	m ^r Bearblock.	m ^r Tho Mellinge.

Mr Essington to proceed with y^e Magazine Accompts. Whereas the last ordynary Court made choyce of three for the managing the remaynder of the Magazine buisines, and that then itt was agreed that m^r Essington should be entreated to pceed wth the Accompts hee being now p^sent & desyred by the Adventurors to vndertake itt againe assented to pforme itt. [84]

The Coueñnt made by the Magaz: Adventurors disliked by Alder: Iohnson. And for asmuch as m^r Caswell signified that m^r Alderman Iohnson did not like the Coueñnt made by the Aduenturors in the last Courte for the vnderwritte^{rs} to take off the Tobacco they had vpon Conditions subscribed for as not beinge effectually enough for their sattisfaction and therfore desyred to have an other meetinge of y^e Aduenturo^s vpon satterday morninge to take itt againe into consideraçon was by the Adventurors present assented vnto and agreed to be att S^r Thomas Smith^e house vpon satterday next att ix of the Clocke, att w^{ch} time the Courte have intreated m^r Cranmer and m^r Chambers to be there for the Company.

S^r Io: Dauers, and D^r Winstone^e reported from y^e Spanish Agent. Sir Iohn Dauers and D^r Winstone repayinge to the Spanish Agent as they were intreated and haveinge delivered their message accordinge to the direcçon of the last Courte reported now that itt was very kindly

accepted by the said Agent promisinge to write vnto his Maister the kinge of Spaine for to certifie him how Carefull the Company are to holde all due Correspondency wth him, onely desyringe that if therby hereafter they should finde themselves Dampnified and have occasion to renue and prosecute the matter, that then this Company would ioyne wth them for to procure sattisfacōn, which they in the behalfe of the said Company promised to pforme.

And wheras allso in the last Court S^r Thomas Gates, and S^r Nath: Rich were intreated to repaire to Generall Cæsill touchinge the desyre of the Plantacon to be accomodated wth some Enginers att their owne charges for Raysing of fforteficacon Itt pleased S^r Nath: Rich to reporte that accordingly they were wth Generall Cæsill who found him exceedinge redy and willinge to assist them wth his best furtherance although for the present hee knoweth not how to furnish them they beinge so exceedinge deare and hard to be gotten that they will not worke vnder five or six shillings a day, butt acquainted them of a ffrenchman who hath been longe in England very skillfull therin who p^romised to agree wth him for a certaine some of monny to goe ouer and live there signefyinge of two sortes of ffortefycacons, one for the induringe of assaults and Battery, which is not as hee Accompts there very needful butt rather the other of chusinge and takinge some place of Advantage, and there to make some Pallysadoes w^{ch} hee conceiveth the fittest, and for w^{ch} this ffrenchman is singuler good.

S^r Tho: Gates, &
S^r Nath: Rich their
reporte from Gen-
erall Cæsill touch-
inge Enginers

M^r Thr̄er signified that accedentially haveinge some Conferrence with y^e Right Hon^{ble}: the Earle of Arrundell itt pleased his Lo^r: to demonstrate the exceedinge much love hee beareth to the Accon, insomuch that hee could be content to come and sitt amongst them; Hee therefore moved that the Court would admitt his Lo^p: into their Society, w^{ch} beinge putt to y^e question was ioyfully embraced by generall consent, and referred according to order to a great Courte for electinge of his Lo^p: to be one of the Counsell. [85]

My Lord of Ar-
rundell admitted a
fitt brother & re-
ferred to be elected
one of y^e Counsell

Hee allso acquainted my Lord of London of the Companies intent for the sendinge ouer Mynisters, and their request vnto his Lo^p: for his good furtherance and assistance therin together wth what mainte-

My Lord of London
made acquainted
of y^e Comp^s: intent
to send Mynisters.

nance they had there ordeyned for them, w^{ch} he very well approved of, promisinge to his vttmost ~~of his~~ power to doe what lyeth in him for the good of that Plantacon.

Smith^e hundred Sygnifyinge allso that the Corporacon of Smith^e Hundred verie well content to giue accepted of the Charge of the Infidles Children comended vnto them 100^{li} to be discharged from y^e by the Courte in regard of their good disposiçon to doe good, butt charge of y^e Infidles Children. otherwise if the Courte shall please to take itt from them they will willingly give 100^{li}: And for their resoluçons although they have not yett sett them downe in writinge by reason some things are yett to be considered off. they will so soone as may be pforme the same and present itt.

A Committee appointed for y^e settling of Salt-works. Wheras duringe the time of S^r Thomas Dales resydence in Virginia therwas by his means sundry Saltworks sett vpp to the great good and benefitt of the Plantacon, since w^{ch} time they are wholly gone to wrack and lett fall in so much that by defect therof the inhabitants are exceedingly distempred by eatinge porke and other ~~things~~ meats fresh & vnseasoned therfore itt was referred to a Committee to Consider wth all speed for the settinge vpp againe of the said Saltworks, that is to S^r Iohn Dauers S^r Nathaniell Rich, m^r Iohn Wroth, m^r D^r Winstone, & m^r Sam: Wrote to meet to morrow att two of the Clocke att m^r Thñers house—M^r Baldwin is desyred to be there att the same time to further the said Committee wth his best advise.

The sendinge of S^r Geo: Yeardly a present referrd to the Committee. Itt was allso moved by m^r Treasurer that for asmuch as this yeare there hath beene and are in preparinge to be sent to Virginia 1200: personns or their aboute wherof 600: to the publike or for other pious vses wherby a heavy burthen will be vppon S^r George Yeardley for the disposinge of them all accordinge to direcçons and instruccõs sent vnto him, that therfore for his better incoragment the Company would please to send him a Present itt beinge no new thinge butt much vsed by them heretofore whervppon itt was referred to the Committee in y^e preceding Order to consider and conclude what shalbe sent vnto him. [86]

As likewise ||that in reguard|| a treaty is to be made wth Opachan-
kano touchinge the bette^r keepinge of the Infidells Children w^{ch} are
to be brought vpp in Christianitye y^t therfore they would authorize S^r
George Yeardley to take some such thinge as hee shall like best outt
of the Magazine and present itt vnto him for the better attayninge
their ends of him w^{ch} beinge putt to the question was well allowed.

S^r George Yeardly
authorized to take
some things out of
y^e Magazine to
present itt to Opa-
chankano.

S^r Thomas Gates, by his bill assigned five Shares of twelve pounds
tenn shillings the Share to Samuell Wrote esqr: w^{ch} the Audito^{rs}
haveinge formerly approved was allowed by this Courte.

S^r Tho: Gates 5
Shares to Sam:
Wrote.

Likewise m^r Humphrey Reynold^e assigned five Shares to m^r Humphry
Slaney w^{ch} beinge also allowed by the Audito^{rs} was ratefyed by this
Courte.

M^r Hum: Reigh-
nold^e 5: shares to
m^r Humfrey Sla-
ney.

MARCH THE 15th 1619

PRESENT.

The Right Honor^{ble}: Robert Earle of Warwick.

S^r Edwin Sandys Th^rer.

S ^r Thomas Roe.	m ^r Iohn Wroth.	Cap ^t Dani: Tucker.
S ^r Dudley Digge ^e .	m ^r Mau: Abbott.	m ^r Iohn Smith.
S ^r Thomas Gates.	m ^r Deputy.	m ^r Keightley.
S ^r Iohn Dauers.	m ^r Tho: Gibbes.	m ^r Nicho: Ferrar.
S ^r Fard: Gorge.	m ^r Robt: Ofley.	m ^r Bull.
S ^r Tho: Wroth.	m ^r Sam: Wrote.	m ^r Cranmer.
S ^r Iohn: Wolstenholme.	m ^r D ^r Meddus.	m ^r Rogers.
S ^r Nath: Rich.	m ^r Henry Reighnold ^e .	m ^r Essington.
S ^r Tho: Willforde.	m ^r Tomlyn ^e .	m ^r Ditchfeilde.
m ^r Recorder of London.	m ^r George Tucker.	m ^r Casswell.
m ^r Alderm: Iohnson.	m ^r Nicho: Leate.	m ^r Swifte.
	Cap ^t Sam: Argoll.	m ^r George Smith.
		m ^r Mellinge, C ^r .

The Courte beinge sett m^r Th^rer made knowne y^t the George beinge
returned from Virginia had brought fres certefyinge allso of the

The George re-
turned 300: dead

The people sent in
y^e Bona Noua ar-
riued well.

The readinge of y^e
Lres is referd

Cap^t Smith & Capt
Maddison to make
known their greiv-
ances.

3 things of mayne
consequence Com-
ended by y^e Th^rer
to y^e Courte. 1:

The draught of a
Charter for nour-
ishinge those y^t
are sicke.

greate mortallitie w^{ch} hath beene in Virginia about 300: of the Inhab-
itants haveinge dyed this last yeare and that S^r George Yeardley
comittes the ~~former~~ §same§ error as formerly that hee dyrecteth all
his letters to the Counsell and not any to the Company; Butt for y^e
people sent in the Bona Noua they are aryved in health are all live-
inge & psper well applyinge themselvs wth the rest accordinge to
direcōn to the buildinge of houses tillinge of the ground plantinge
Silkgrass: Butt forasmuch as the Courte was wholly ignorant of the
State of the Colloney w^{ch} by the readinge of these [87] Lette^{rs} now
come they might be enformed of, therfore itt was earnestly moved by
divers now present that they might be published to the Courte, butt
sundry of the Counsell thinkinge itt inconvenyent, till a full nomber
therof hadd first heard itt, w^{ch} was accounted seaven to gether, itt
was therfore deferred till the next Courte and in the intryme itt was
agreed that the Counsell should be desyred to meete vppon ffryday
afternoone att m^r Th^rer^e house att two of the Clocke, and that Cap^t
Smith, and Cap^t Maddison then attend to make knowne their greiv-
ances w^{ch} they pretend done vnto them by S^r George Yeardley.

Then hee Comēded to the Consideraōn and approbaōn of them
three Things of mayne consequence—1: wheras fower shippes are lately
dispeeded and another w^{ch} wilbe readie to goe by the last of this
moneth wth Pasengers & Provisions as itt was delivered and allowed
in a Quarter Courte held the 17th of Nouemb^r last that therfore for the
better Care of preseruinge them att their landinge and nourishinge
those w^{ch} shalbe sicke for preventinge so neer as may be y^e like mor-
tallitie and for the prosicutinge of some well degested orders made
in their Courtes hee had framed the draught of a Charter, w^{ch} although
this Courte could not give a finall confirmaōn thervnto, yett if they
now approved therof itt might be sent in this Ship to be putt in
Execuōn, & be confirmed in the next greate generall Courte.

That w^{ch} m^r Alderman Iohnson now proposed that they would take
To dispose of y^e care how to dispose of the Ship and goods now returned for their
Ship & good^e re-
turned. 2: best advantage.

Of difference betwixt the Northerne and So: Collonys.

The differences be-
tweene y^e N^o: and
S^o: Colloneys. 3:
The Charter redd
and approued of.

ffor the first the Draught of the said Charter beinge extant itt was agreed should be red w^{ch} done was very well approved and allowed off referringe itt to the Quarter Courte for an example confirmaçon butt in the meane time agreed that the Coppie therof should be sent for the Gouvernor to putt in practize.

A Coppie to be
sent to y^e Gon^{or}.

The second beinge m^r Alderman Iohnson^e Proposiçon was comitted to a Comittee to consider of, that is to say

S ^r Thomas Smith.	m ^r Alder: Iohnson.	m ^r Cranmore
S ^r Thomas Wroth.	m ^r Io: Wroth.	m ^r Bull &
S ^r Io: Wolstenholme.	m ^r Deputy.	m ^r Caswell or so many
S ^r Nath: Rich.	m ^r Keightley.	el ^e as pleased.

Alderman Iohn-
son^e Proposiçon
referred to a Com-
ittee & deuided in-
to 3 part^e vizd

Devidinge the busines into three poyntes.

ffor the plantinge of English Tobacco that notwthstandinge vppon y^e Compa: yeildinge to an imposte, his Ma^{ty} by a Proclamaçon hath prohibited the same yett Contrary thervnto itt is pryvately planted.

English Tobacco
priuately planted.
[1]

ffor the procuringe a mitegaçon of the imposiçon w^{ch} is conceyved may be obteyned. [88]

mitigaçon of y^e
imposte [2]

For the Sale of y^e Goods

3

All w^{ch} is referred as aforesaid, and are entreated to meete att S^r Thomas Smith^e house vppon Satterday morninge next att eight of the Clocke.

To the third m^r Th^rer signified that the N^o: Collony intendinge to replante themselvs in Virginia had petiçoned to the Kinge and to the Lords for y^e obteyning a nue Pattent w^{ch} the Lords referred vnto the Lord Duke, & the Lord of Arundell And the Lord of Arundell delivered itt to him for to call the Counsell, vnderstanding of some differences about fishinge betwixt them, and if they could not deter- mine of itt, that then to returne their opinions to their Lo^{ps}: wher- vppon accordingle haveinge mett, and as formerly disputed the buis- ines they could not conclude therof, butt discented the one from the

The N^o Colony pe-
tiçoned to y^e Kinge
for a new Pattent

other, that therfore accordinge to his Lo^{ps} Command the Courte would please to nominate some to give intelligence how the buisines betwixt them doth depend, w^{ch} the Courte p^{ce}ivinge none to vnderstand the cause so well as himselfe most earnestly besought him to take the paines, w^{ch} hee beinge very loth and vnwillinge by reason of the exceedinge multitude of the Company^e buisines depending vppon him desyred to be excused, butt not prevaylinge hee was soe earnestly solicited thervnto that hee could not gainesay itt, whervppon they associated vnto him S^r Iohn Dauers, m^r Harbert, and m^r Keightley to repaire thither to morrow morninge at 8 of the Clocke.

The Articles between m^r Kinge & y^e Comp^{rs}: touching y^e Iron Workes ordered to be sealed.

Hee allso signified of one m^r ¹ Kinge that is to goe wth 50 persons wth him to Virginia there to sett on foote Iron Workes and that there was Articles indented betwixt the Company and him, w^{ch} beinge red was so well liked that they allowed of the same, and agreed that the Seale should be thervnto affixed.

M^r Th^{ier} thanked for sealinge y^e Charter party for the Bona Venture.

And wheras the Ship before exprest to sett forward before the latter of this monneth called the Frauncis Bona Venture, m^r Treasurer haveinge sealed the Charter party betwixt the owners and the Company; The Courte now did render thanks vnto him for the same and have agreed to save him harmeless.

S^r Tho: Gates one Share to m^r Palauicine

Sir Thomas Gates assigned one single Share to Edward Palaucine gentleman w^{ch} beinge approved by the Auditors and now putt to the question was confirmed vnto him.

The Comission for the Fra: Bona: Venture allowed.

A Comission unto ¹ Maister of y^e Frauncis Bona Venture for the takinge optunitie of winde and weather for Virginia was now allowed. [89]

¹ A blank space in the manuscript.

AN EXTRAORDINARY COURTE HELDE THE 20TH: OF MARCH 1620

PRESENT

y^e Right Hono^{ble}: The Lord of Southampton.

m ^r Treasurer.	m ^r Tomlyn ^e .	m ^r Briggs.
S ^r Iohn Dauers.	m ^r Harbert.	m ^r Cranmer.
S ^r Io: Wolstenholme.	m ^r Rogers.	m ^r Berblock.
m ^r Io: Wroth.	m ^r Keightley.	m ^r Meuerell.
m ^r Deputy.	m ^r Bamforde.	m ^r Robert ^e .
m ^r Tho: Gibbes.	m ^r Iadwin.	m ^r Mellinge.
m ^r Bromfeild.	m ^r Ditchfelde.	m ^r Baldwin.
m ^r Sam: Wrote.	m ^r Barnell.	m ^r Arundle.
Cap ^t Argoll.	m ^r Caswell.	m ^r Whyffin.
D ^r Winstone.	m ^r Ferrar se ^{ñe} .	

One Penecell who sometimes lived a frend in Virginia beinge imployd in the Treasurer, and accidentally att her settinge out fallinge vppon the Sommer Iland^e where now hee remayneth sent his peti^{ti}onary ire to the Treasurer and Comp^a: to be released from thence that hee might returne to Virginia and there rep^{er}tlant him w^{ch} was conceaved to be very reasonable vppon w^{ch} they have thought good to reco^mend the said ire to the Somer Iland^e Courte.

Mr Penecell^e ire to returne from y^e Somer Iland^e to Virginia reco^mended to y^e Somer Iland^e Courte.

The Councell haveinge heard the generall ire from S^r George Yeardley gave order for the sattisfac^{ti}on of the Company that itt should be publquely read vnto them wherein was Complainte of Sandys greivances done by Cap^t Samu^{el} Argoll ptly concurringe wth some of the 12 Articles by the Company exhibited against him, vnto w^{ch} hee haveinge formerly delivered his answe^r to fower of them did now present answers to the rest w^{ch} vppon the mo^{ti}on of y^e Companies Councell m^r Th^{re}r delivered to the Secretary for to Coppy out and to

S^r George Yeardley^e letter publquely read wherein was Complainte of Sandys greivances done by Cap^t Argoll.

The answers dd to y^e Secretary to Coppie out and to keepe y^e Orignall^e.

Comissioners ap-
pyoynted to exam-
ine y^e passenge^m
now com ouer.

keepe the originall wherby hereafter the said Cap^t Argoll may not say butt that they are the very same w^{ch} hee now delivered, And foras-
much as hee informeth that divers of Virginia were lately com ouer
& nowe here w^{ch} can give testimony of his pceedings hee therfore
desyred a Comission from this Courte wherby to examine them for
the better cleeringe of himselfe, butt beinge answered that itt was not
fittinge himselfe should examine them butt rather some of the Coun-
cell, to w^{ch} purpose they would nōiate fower and hee should nominate
other fower, and they would except against ~~them~~ two of his, and hee
should except against two of thers, w^{ch} 4: or 2: of them so they be
of either side one as they are chosen shall take the testimony of them
accordingly to w^{ch} hee willingly condiscented and named S^r Nath:
Rich; S^r Ferdinando Gorge, m^r Recorder, and m^r Ma: Abbot of w^{ch}
the Comp^a: excepted against S^r Ferd: Gorge, and S^r Nath: Rich w^{ch}
done the Company named S^r Io: Dauers, m^r Christopher Brooke,
m^r Gibbℓ, and m^r Deputy of w^{ch} hee excepted against m^r Brooke and
m^r Deputy so that the 4 chosen for this buisines are

S ^r Iohn Dauers &	} for y ^e Company.
m ^r Tho: Gibbes	
m ^r Recorder &	} for Cap ^t Argoll. [90]
m ^r Mo: Abbot	

The Georg a great
charge to the Com-
pany.

The Husband to
deliuer out no
goodℓ but by cer-
tificate from y^e
Deputy.

M^r Cranmer for y^e
Company & m^r
Keightley for y^e
Magazine

The good Ship called the George after a longe continuance outt
beinge returned and bringinge an exceeding charge to the Company
and all that is to be expected for the bearinge of the Charge beinge
the freight of Tobacco com in her and y^e fishinge Voyadge shee was
employed in, Itt was agreed that the Husband should looke carefully
to itt, and not deliver outt any goods butt by certificate from m^r Dep-
uty that the freight therof beinge 4^d vppon a pound be payd vnto
him, And for the other the Courte hath chosen m^r Cranmer for the
Company and m^r Keightley for the Magazine entreatinge them to
examine & Cast vp what profit may be therby accrew by the said
fishinge, that wthall possible speed the ffraight and wages of the said
~~Company~~ Ship may be discharged and the Company satisfied for such
allowances towards the same as shall fall out due vnto them.

And wheras m^r fferrar Deputy sent out the Garland to y^e service of y^e Company wth 45 men of his and his Associates to be left in Virginia for the preparinge and makinge redde of buisines against the Springe intendinge together wth his Associates to have sent divers others for the settinge vp of Iron Workes as allso that the Councell hath sent sundry letters by Wye, m^r of the said Shipp now for asmuch as hee was appoynted to touch at the Summer Iland^e and leave some men there and so pceed hee notwithstandinge contrary to their directions and as hee was bound by Charter party findinge that extraordinary gaine would redound vnto him by the great quantitie of Tobacco w^{ch} ther was redy to come for England diverted his Course from Virginia, lefte the men wth their provisions in the Sommer Iland^e and what is become of the Tres itt is vncertaine, hee beinge required since his Cominge home att a Summer Iland^e Courte, to bringe them to m^r Th^rer and hath not yett pformed itt, And forasmuch as vpon the mo^oon of m^r Ferrar in the last Somer Ilands Courte itt was there ordered that his wages should be deposited till the differences betwixt them were ended hee therevpon hath anihilated the same by repaying to y^e Admiralty and by puttinge in bayle to answer his Acc^on hee shall enter against him in respect wherof and in considera^on of the greate wronge and preiudice hereby falleth to the Company, (Itt was agreed beinge putt to the question) that the said Comp^a: shall ioyne wth m^r fferrar in the sute against him, and to that end to entertaine a Procter, and Advocate and have entreated for the Company D^r Winstone and m^r Berblock to fellow itt for them, and for the defrayinge of the Charge have entreated m^r Th^rer to disburse vpon war^ont what shalbe needfull.¹

The Garland sett out by M^r Ferrar and his Associate

M^r Wye beinge to touch at y^e Summer Iland^e and so to pceed diuerted his Course from Virginia and lefte his men & prouision^e at y^e S: I:

The Actes of the generall assembly in Virginia beinge yett to read togethe^r wth a Tre w^{ch} m^r Yeardley desyreth may be read for the cleeringe of his Brother S^r George Yeardley because itt was held inconvenient to spend an ordinary Courte therwth itt was agreed that munday next in thafternoone be apoynted for the purpose.² [91]

The readinge of y^e Act^e of y^e generall assembly in Virginia and m^r Yeardleys Tre in behalfe of his brother be referred.

¹ The papers on this subject are cited in List of Records, No. 149, page 137, *ante*.

² Two letters concerning these acts are cited in List of Records, Nos. 154, 171, pages 138 and 140, *ante*.

MARCH Y^e—XXIXth: ANN^o DOM: 1620

PRESENT.

m ^r Th ^r er.	m ^r Wrote.	m ^r Caswell.
S ^r Tho: Roe.	m ^r Herbert.	m ^r Bull.
S ^r Io: Dauers.	m ^r Ed: Gibbes.	m ^r Pallavicine.
S ^r ffer: Gorge.	m ^r Tho: Gibbes Iunio ^r .	m ^r Meuerell.
S ^r Tho: Wroth.	m ^r Edwa: Smith.	m ^r Robert ^e .
S ^r Io: Wolstenholme.	m ^r Keightley.	m ^r Sparrowe.
S ^r Nath: Rich.	m ^r Bearblock.	m ^r George Smith.
m ^r Alder: Iohnson.	m ^r Cranmer.	m ^r Baldwin.
m ^r Iohn Wroth.	m ^r Briggs.	m ^r Mellynge.
m ^r Chr: Brooke.	m ^r Palmer.	m ^r Newporte.
m ^r Tho: Gibbes.	m ^r Caninge.	m ^r Arundell.
m ^r Deputy.	m ^r Rogers.	and many others.

A Virginia Courte
dismiste in respect
therwas held one
for y^e So: Iland^e.

Wheras accordinge to the aboue written order munday afternoone last was apoynted for an extraordinary Courte, m^r Th^rer signified that when the same was warned hee hard that att the same time therwas a Courte for the So^mer Iland^e, therefore imaginige that the Companies beinge to be so seuered itt would be the hinderance of them both, hee was willinge that the Virginia Courte should be dismist.

S^r Nath: Rich his
reporte from Gen-
erall Cecill touch-
ing an Engineer.

The order beinge read wherin S^r Nath: Rich signified what had beene done vppon the Companies request to generall Cecill about an Engineer to be sent to Virginia hee now reported that haveinge beene since wth him hee findes that wheras hee pitched of a ffrenchman hee thinks he shall be deceaved, Butt if the worst fall out that hee cannott help them to a fitt hee will sett downe such pticularr direc^cions and instruc^cions for them to pceed as they shall easilie pforme itt; Moreouer hee said that hee had spoken to another who tould him that hee knew of a very sufficient man for his purpose a Captain in the Low Countries, who vppon intelligence hee is sure would sell his

place to serve this Company beinge the thinge w^{ch} err now himselfe hath desyred ffor w^{ch} the Courte gave S^r Nath: Rich thanks desyringe that hee in the Lowe Countries may have notice therof, whose service they shall well esteeme and that in the meane time hee would be pleased to procure accordinge to his relaçon of Generall Cecill those direcçons & Instrucçons he hath promised that they be sent in this Ship to the Inhabitants to give them some pt of sattisfacçon w^{ch} hee hath p^mised shalbe p^formed.

The busines att the last ordinary Courte referred to a Comittee to meete att S^r Tho: Smith^e w^{ch} accordingly they did and there Agreement of the 3: pointes now presented in writinge was after publike readinge beinge putt to the question allowed and agreed haveinge dependancy to an order in the said Courte to be amongst the rest of the Acts recorded being this w^{ch} followeth. [92]

The buisines referred to a Comittee at a former Courte allowed.

A MEETINGE OF COMITTEES HELDE AT S^r THOMAS SMITH^e BY ORDER
FROM THE VIRGINIA COURTE 18th: MARCH 1619

PRESENT.

S ^r Thomas Smith.	m ^r Wrote.	m ^r Edward ^e .
S ^r Thomas Gates.	m ^r Keightley.	m ^r Cranmer.
S ^r Thomas Wroth.	m ^r Caninge.	m ^r Berblock.
S ^r Nath: Rich.	Cap ^t Tucker.	m ^r Casewell.
m ^r Alder: Iohnson.	m ^r Essington.	
m ^r Tho: Gibbes.		

This Comittee meetinge by order from the Virginia Courte tooke into consideraçon the 3 poyntes referred vnto them.

ffor Tobacco w^{ch} is ||priuately|| said to be ~~privately~~ planted contrary to the Kings prohibiçon by Proclamaçon, they now agree to entertaine Henry Mansell to be an intelligencer and to give direccons and Instrucçons to pceed by acquaintinge a Iustice therwith & then bringinge his

for Tobacco pry-
uately planted
heer in England
Henry Mansell to
be an intelligencer

M^r Iacobb to prosecute itt

name to the Counsell and m^r Iacob, w^{ch} m^r Iacobb hath p^mised to p^{ro}secute itt, and preferr a bill against him in the Star Chamb^r and so for every informa^{ti}on iustly preferred and w^{ch} shall be within 5 milles of London and proveth true they hold itt requisite for the encourraging of him to give him x^s equally to be paid by the Companies of Virginia and the Sumer Iland^e, and if hee v^{pp}on occasion rode further then the 2 Companies to beare his Charge and reward him as they see cause, and therefore have concluded that hee shall be bound vnto them to doe faythfull service wthout any conivencie v^{pp}on paine of a strict pennaltie to be otherwise imposed v^{pp}on him and to that end itt is held convenyent that his continuance herein be durante bene placito.

mytega^{ti}on of im^{po}si^{ti}on
m^r Alder: Iohnson
& m^r Cranmer to
goe to m^r Iacobb.

To the second poynte of mytega^{ti}on of ymposi^{ti}on
After some dispute m^r Alderman Iohnson and m^r Cranmer was entreated when they rise to goe to m^r Iacobb who had reason to respect them consideringe the pryveledge of their Pattent and the manner of his graunt by easinge and releivinge them in the Taxa^{ti}on of their Tobacco, w^{ch} if hee refuse, y^t then my Lord of Warwicke, S^r Tho: Roe, S^r Nath: Rich, and others be entreated to deliver from the Comp^a: such reasons to the Kinge for mitaga^{ti}on thereof as they have sett downe in the peti^{ti}on to his Ma^{ty} consideringe that the buisines doth not concerne the King^e profitt butt m^r Iacobbs.

Sale of Good^e 3
for defrayinge
of y^e Charge of
fraught both olde
& new shalbe
sould &

Thirdly for the Sale of Goods
Itt is agreed by these Comittees y^t for the defrayinge of the p^{re}sent charge of freight Custome, and Impost of Tobacco both olde and new, w^{ch} is com from Virginia from those of the Magazine shalbe sould to those that will vnderwrite for such quantitie as they shall thinke fittinge not vnder the quantitie of 500: pound waight for any one man to write v^{pp}on these Condi^{ti}ons.

1

Att y^e rate of ij^s vj^d the pound to pay 12^d in hand for y^e defrayinge of fraught Custome, and Imposte, and to pay the resydue the 25th of March 1621

2

To take two thirds of the ould and $\frac{1}{3}$ of the new or as itt shall fall out in quantity and p^{ro}por^{ti}on

3

To discount vnto themselvs halfe a Capitall of the first years Adventure.

4

To give their bills to S^r Thomas Smith, & m^r Alder: Iohnson who

stand engaged for those of the Magazine and they to give their severall bills each to other for the vse of the said Magazine. [93]

And they to order and Condition of brokes longe since made touching y^e said Magazine shall stand firme of every man wthout alteringe or revocaõn and that a Preamble of this order shalbe sent to the Adventurers that such as are willinge vppon the foresaid Condiçon shall vnderwrite their names & quantity w^{ch} they shalbe pleased to § buy & § take out.

A Preamble of this order to be sent to y^e Adventurers.

Concerninge the difference of ffishinge betweene the South, and N^o: Collony itt pleased m^r Th^rer to signifie that although hee was very vnwillinge by reason of the multitude of other buisinesses, yett hee and the Comittee had intended the Lo: Duke and the Lo: of Arundle, and therwas for the other side S^r Ferd: Gorge and others, where disputinge the matter before their Lo^{ps}: they pleased neither to allow nor disalowe entirely the one parte or the other butt sett downe & order as seemed fittest to their Lo^{ps}: for the obteyninge a Coppy wherof they now appoynted the secretary to repare to S^r Clement Edmondē and desire itt of him in the name of the Comp^a: & appoynted him to give his Clarke his ffee.

M^r Th^rer reporte of y^e Order sett downe by y^e Lo^s: concerninge the difference of fishinge between y^o So: and N^o: Colonies

The Secretary to repare to S^r Clement Edmondē.

Hee further acquainted them of 2 things more to be pformed for the publike the one a Charter to be sent to S^r George Yeardley to be published throughout the seu⁹all Burroughs and Hundreds that they apply not themselvs wholly to Tobacco w^{ch} will faile them and ouer throw the generall Plantacon butt to other Staple Comodities of which they have notice, w^{ch} beinge ingrossed and read was ratefyed by erecon of hands

a Charter to be sent to S^r Georg Yeardley w^{ch} beinge read was ratified

The other that wheras an Asperçon was laide vppon him by some that hee deteyneth matter from the Company and imparteth them onely to the Councell w^{ch} is not true for hee hath procured more then once the Gouverno^{rs} Ires to the Counsell and theirs to him to be read openly in Courte, yett hee sayth that the Gouvernor hath given cause of y^r blame by dyrectinge still his Ires to the Counsell, w^{ch} although hee hath reprehended him for itt by his pryvate letter, yett itt would not doe amise that a generall Ire from the Courte be sent him, that

M^r Tr^{ers} answered to an Aspercion laide vppon him for deteyninge matter from y^e Company & impartinge them to y^e Councell.

A Letter to be written to y^e Gou-
ernor. hee may better vnderstand his error, and hereafter write aswell to the Company as to the Counsell, w^{ch} they thought to be very necessarie, whervppon they have entreated m^r Th^rer, S^r Iohn Dauers, m^r Wrote, m^r Gibbes, and m^r Herbert, to meet att m^r Th^rer^e house vppon fry-day morninge for pformance of itt, w^{ch} done might be read to the Courte to be approved and signed.

Navigaçon to be sent Hee also signified that S^r George Yeardley desyreth of them for the good of the Colony that a navigaçon might be sent vpp w^{ch} would produce good benefitt to the Plantaçon, and to that end nomynateth vnto them one Marmaduke Rayner who is willinge to goe if they please to give him his passage, w^{ch} man beinge allso well knowne vnto S^r Tho: Roe, hee gave very good comendaçons of him, whervppon itt was agreed vppon the tearms mençoned hee should be sent.

Tho: Gibbes 2 shares to two of his sonnes. Thomas Gibbes esqr by two severall bills assigned vnto two of his sonns m^r Edmund, and Tho: Gibbes Iunior ij single Shares one to each of them of 12^{li}:10^s: the share, w^{ch} the Audito^{rs} haveinge approved the Courte now confirmed beinge putt to the question by erecon of hands. [94]

Cap^t Io: Bargaue 2 shares to m^r Robert Briggs. Cap^t Iohn Bargaue assigned two shares vnto M^r Robert Briggs which vppon the like approbaçon was allowed as the former.

M^r Aliano Lupo to be made free & to haue 100 Acres of Land. Vppon the request of Stephen Sparrow itt was agreed y^t M^r Aliano Lupo who haveinge beene a planter in Virginia for 9 years past & there continuinge shalbe made free and have the proporconable rate of one hundred Acres of Land alotted him like as to other Adventuro^{rs}.

and for 3 men transported by m^r Sparrow 150 Acres. As allso that the saide Stephen Sparrow att his owne charge transported three men to Virginia for whom W^m Webb received the monny as hee witnesseth vizd: Iohn Slater, and Iohn Powell in the George in October 1617 & W^m Thisselton in the W^m: and Thomas, in August 1618, whervppon itt was agreed accordinge to his desire that for the said 3 men hee should have 150 Acres of Land.

Walter Eldred 3 shares confirmed to him & made a free brother. Walter Eldred produced to the Courte y^e will of Thomas Hodges in w^{ch} will hee hath given vnto the said Walter Eldred 3 single Shares of 12^{li}: 10^s w^{ch} appearinge to the Courte he dyed wthout issue, as also

that by the said will hee was sole executo^r the Courte now gave allowance therof and soe was admitted into this Societie.

Wheras vppon the petiçon of Agnes Nicholl^e mother to one Henry Dauies who did goe the Voyadge to Virginia wth the Lord Lawarr in 1616 and att six moneths after his landinge hee there dyed as by certificate from Samuell Tubman may appear, itt was agreed vppon the said petiçon and certificate that Susan Hamond the only sister and heire of y^e saide Henry Dauies shall have the Land due vnto him vppon his psonall adventure.

Susan Hamond to haue y^e land due to Henry Dauies her brother.

fforasmuch as diue^{rs} petiçons are to be read and some other buisines to be pformed before Depture of the Ship, itt was agreed that Monday afternoone next shalbe an extraordinary Courte.

A Courte to be helde

AN EXTRAORDINARY COURTE HELD AT S^r EDWIN SANDYS
HOUSE THE 3 OF APRILL 1620

PRESENT.

m ^r Thñer.	m ^r Rob ^t Smith.	m ^r Edward ^e .
S ^r Io: Dauers. ✕	m ^r Tho: Gibbs Iunior.	m ^r Briggs.
S ^r Tho: Wroth.	m ^r Wheatley.	m ^r Bamforde.
S ^r Io: Wolstenholme.	m ^r Keightley.	m ^r Robert ^e .
m ^r Io: Wroth.	m ^r Palmer.	m ^r Geo: Smith.
m ^r Tho: Gibbes.	m ^r Berblock.	m ^r Meuerell.
m ^r Wrote.	m ^r Barnell.	m ^r Sparrow.
m ^r Herbert.	m ^r Rogers.	m ^r Newporte.
		m ^r Baldwin. [95]

A Complainge in writinge beinge now presented by some of the Adventuro^{rs} of Martine^e Hundred, for redresse of some wrongs, pretended done them pticularly by one Boyse entertayned there to be a Bayly of their hundred who contrarie to Coveñnts hath forsaken their Plantaçon and settled himselfe elsewhere; Itt was agreed accordinge as they

Y^e Comp^{ts}: of y^e Adventurers of Martins hundred to be enclosed in y^e Comp^{ts}: Ire to y^e Gouernor.

desyred, that the saide writinge should be enclosed in the Companies Ire, wth advice to the Gouvernor to rectefie their Greivances and further them in their lawfull desires.

The Comp^a Ire to the Gouvernor finished.

2 Deputies to goe & take charge of 2 pertiuler Gouvernments.

1

2

3

S^r George Yeardeleys offer held not requisite to accept of.

M^r Th^{er} reported y^t the Comittee appoynted in the last Courte for the drawinge a Ire for the Comp^a: to the Gouvernor have mett and fynished the principall pointes of the same, if the Courte shall allowe theirof, therin menconinge of 2^e very sufficient and able men w^{ch} are to goe as Deputies for y^e Company and to take charge of 2^e pticularr govermt^e vnder S^r George Yeardley for menaginge and orderinge 2 parts of the publique Land, and teñnt^e, the one for the Colledge, and for that have dealt m^r George Thorpe a gentleman of his Ma^{ties}: pryvie Chamber, and one of his Councell for Virginia, who hath promised wth all diligence to have exceedinge care therof, the other of like sufficiencie butt yett to be namelesse to have charge of the publique Land and Teñnt^e sett out in 4: Burrough^e, w^{ch} wilbe no otherwise chargable to the Company then for the present, allotinge them of Land and allowinge them Teñnt^e therevnto, And wheras S^r Georg Yeardley offereth to serve the Company gratis, the Company hould itt not requisite to accep^t of his offer butt rather to dispose some pt of his liberallytie another waie that therfore hee, (as they intend hereafter to coveñnt wth such as shall succeed him ~~hereafter~~) shall leave on the Governo^{rs} Land as many Teñnt^e at the expiracon of his Government as hee findeth or went wth him at his entrance or afterwards shalbe sent vnto him.

The execucon of y^e Office of Admirall in Virginia referred to y^e Gouvernor and Counsell of State ther

And wheras Cap^t Argoll in the time of his suspention from the place of Admirall authorysed, Abraham Peirse the Cape marchant to be his Deputy or Vice Admirall w^{ch} hee could not doe till by his cleeringe hee had frustrated the said suspension, Therefore the Comittee held itt fitt that the execucon of that Office should be referred to y^e Gou⁹nor and Counsell of State and to such vnder them as they shall appointe.

The Secretaries fees sent hither to be confirmed held intollerable C^r.

And forasmuch as the Gouverno^r and Counsell there have allowed of certaine ffees to be due vnto the Secretary by his place and sent itt hither for confirmacon, the Comittee first and now the Courte pvsinge the same found them so oppressive that they found them soe

intollerable, & therefore held it convenient that hee should have no fees att all butt that the Comp^a: would allowe him certaine Land and Teñntē, and so to live vppon that butt for his Clarke to allow him 6^d or 4^d in the Crowne ther sett downe w^{ch} belonginge to the lawes of gover^m^t, and magestracie to be there established is referred thereto [96]

And likewise wheras a Complainge is made of the Cape Marchant by the Planters of double and treble rates sett vppon the goods contrarie to the Adventurers order that therfore the Gouverno^r and Counsell be authorized to make him produce his writings and Invoyses to examine whether hee hath dealt fairely or no and returne informaçon to the Company.

The Gouverno^r to be authorised to examine y^e Cape Marchant^e writings & Invoyses.

Other things of smaller consequence beinge likewise to be incerted was comitted to the trust of the Comittee to pforme and soe the letter being putt to the question was allowed and confirmed agreeing that it shalbe signed by the Th^rer, Deputy, and Comittee in the behalfe of the Company.

other Addiçons to y^e Ire: refered to be pformed by y^e Comittee & to be signed.

Hee also signified that m^r George Yeardley desyred for his better direcōn the laws for Gouverment and Magestracye w^{ch} although a Comittee was long since Chosen for the same yett by reason of other buisines of maine consequents they have not pceeded therwith, requesting that now when all the Ships are gone and other buiesses settled they would graunt him so much libertie for his refreshinge as to retire himselfe for 3: or 4 weekē into the country in w^{ch} time hee would spend his studies in collectinge and framynge such lawes as may agree soe neer as may be to the Lawes of this Realme and his Ma^{ty}: instrucōns from w^{ch} if hee swerve in any thinge itt shall not passe till the kinge have approved therof: Itt beinge not fitt y^t his Ma^{ty}: subiects should be governed by any other lawes then by such as shall receave influence of life from his Ma^{ty}: whervppon wth many thanks for his care his request was graunted.

M^r Tfers request for collectinge & framinge of Laws graunted.

Itt was informed y^t the Lady Lawarr desyred y^t 25 Shares adventure might be deducted outt of her Shares, and passed to Anthony Browne who intendeth to goe to Virginia and plant them w^{ch} the Courte allowed.

Y^e Lady Lawarr passed 25: Shares to Antho: Browne.

Elizabeth Percy A petiçon read from Elizabeth Percy referred to the Adventurers of
her Petiçon. the Magazine.

Fra: Baldwins Petiçon beinge read itt was agreed should be
Petiçon to be com- comēded to the Gouvernor in the Ire from the Company.
ended to y^e Gou-
nor.

M^r Deuerell^e re- Weras one Bartholemew Lawton was transported in y^e Bona Noua to
quest for Barth: Virginia to remaine a Teñnt there, one m^r Deuerell made sute that
Lawton. hee might be freed from that place and made free, and to that end
would pay the charges the Comp^a: was at in sendinge him, and send
him a man or two to worke for him, vnto w^{ch} hee was answered that
his pffer would not serve the turne butt if hee will send in his steed
one approved to be sufficient and that will pforme his Coveñnt^e his
request by y^t means might be obteyned and not otherwise wherwth
hee seemed sattisfied. [97]

AN VNPERFECT COURTE HELDE FOR VIRGINIA ATT S^r EDWIN SANDYS
HOWSE YE VIIJth OF APRILL 1620.

PRESENT

m ^r Treasurer.	m ^r Keightley.	m ^r Eyes.
m ^r Tho: Wroth.	m ^r Palmer.	m ^r Brigs.
m ^r Gibbes.	m ^r Berblock.	m ^r Arundle.
m ^r Wrote.	m ^r Cranmer.	m ^r Newporte.
m ^r Reighnold ^e .	m ^r Palauicine.	
m ^r Ro: Smith.		

A Ire read from A Ire beinge read from m^r Iames of Plymouth directed to m^r Deputy
m^r Iames of Ply- signifyinge that one Spark should ~~deuillishlie~~ §divvldge§ imputa-
moth. tion of y^e Countrie and Gouverment of Virginia falslie reportinge that
900: ||men|| are dead this yeare, and that the people are vsed wth

more slavery then if they were vnder the Turke, therefore for the curb-
 inge of his turbulent spirite, itt was agreed that a Ire in the name
 of the Courte should be written to the Maior of Plymoth to examine
 and learne vppon what ground hee should speake soe falsely and
 accordinglie to certifie the Company that itt may be followed wth
 Iustice and equitie.

A Ire to be written
 to y^e Maior of Ply-
 moth.

Intelligence was given y^t m^r Nicholas fferrar thelder beinge translated
 from this life vnto a better, had by his will bequeathed 300^{li} towards
 the convertinge of Infidles Children in Virginia to be paid vnto
 S^r Edwin Sandys and m^r Io: Ferrar att such time as vppon Certificate
 from thence ten of the said Infidles Children shalbe placed in the
 Colledge to be then disposed by the said S^r Edwin Sandys and Io:
 Ferrar accordinge to the true intent of his said will, and that in the
 meane, till that were pformed hee hath tyed his executo^{rs} to pay 8 p
 Cent for y^e same vnto 3 seuerall honest men in Virginia (such as the
 said S^r Edwin Sandys and Iohn Ferrar shall approve of) of good life
 and fame that will vndertake each of them to bringe vpp one of the
 said Children in the grounds of Christian religion that is to say
 8^{li} yearely apeece.

300^{li}: giuen by m^r
 Nicho: Ferrar
 thelder.

An vnknowne pson hath allso given 10^{li} for some good vses in
 Virginia.

10^{li} giuen by an
 Vnknowne pson.

Wheras m^r Th̄rer made knowne that notwithstandinge the greate
 deale of monny hee hath paid vppon old debt^e yett there remayneth
 some thinge still to pay w^{ch} cheifly is prizes due to Adventuro^{rs} vppō
 the great standinge Lottery therfore moved that m^r Wroth who hath
 taken a great deale of paines therin, and therby gayned much experi-
 ence that hee would examine what is due and to whome that y^e same
 may be discharged and y^t m^r Brigs when hee is desyred may lend
 him his assistance. [98]

Mony due to y^e
 Aduentu: vppon
 y^e great standinge
 Lotterie

And forasmuch as George Berkleys widdow demaundeth as is former-
 lie exprest a debt pretended due vnto her husband of 400^{li} w^{ch} is 7: or

400^{li} demaunded
 by George Berk-
 leys widdow

The Adito^{rs} to examine what is due

M^r Brigs to peruse her writing^e.

8 years olde, hee desyreth that some course may be taken for the true examina^{ti}on therof that itt be truly knowne that the Complain^{te} ther-vppon is indebted or if parte of itt hath beene sattisfied, w^{ch} was desyred that the old Audito^{rs} would take that paines as most prop vnto them, And all the Officers of y^t Comp^a: when they are requyred ~~that~~ §shall§ attend and beinge given to vnderstand that shee had sundry writings that might give more light vnto the matter m^r Briggs was desyred to pvse the same, and when hee had so done present his opinion to the Audito^{rs}.

M^r T^rer: hauing pvsed the Actes of y^e generall assembly found them to be iudicially carried.

Allso hee signified that haveinge pvsed the Act^e of the generall assembly hee found them in their greatest pt to be very well and iudicially carryed & pformed butt because they are to be ratefyed by a great and generall Courte therefore hee hath write vnto them that till then they cannott be confirmed¹ in the meane time hee moved that a select Committee of choyce men might be appoynted to drawe them into head and to ripen the buisines that itt might be in a readinesse against the saide Courte.

A Com^{it}tee to drawe them into a heade.

Whervppon itt was held requisite y^t accordingly 4 of the Councell & 4 of the generallytie should be chosen for the effectinge therof w^{ch} beinge well allowed, the Councell was nominated, S^r Iohn Dauers m^r Thomas Gibbes, m^r Brooke, and m^r Deputy, of the generallytie m^r S^r Thomas Wroth, m^r Samuell Wrote, m^r Berblock & m^r Cranmer or so many of the Company as please, who are entreated to meete att m^r Deputies vppon Wednesday sevensight att 8 of the clock in the forenoone and then to agree when to meete and as ofte as they please.

2 Complaint^e pretended to be done by S^r George Yeardley.

And wheras 2 Complaint^e of wronge p^tended to be done them by S^r Geo: Yeardley hath beene heard before the Counsell the one of Cap^t Madison & the other of Captaine Powell wherof the one vppon examina^{ti}on did manifestly appeare to be spleene and the other was vppon title of Land notwithstandinge vppon the mo^{ti}on of m^r T^rer itt is ordered that a Ire from the Comp^a: shalbe written to m^r Thorpe & y^e

A Ire to be written to M^r Thorpe C^r.

¹ Written over the word "performed."

Counsell of State and therin inclose their said Complaint^e that they may examine the truth therof and vppon certificate from thence they may accordinglie pceed to right either pte accordinge to equitie.

A petiçon now exhibited by y^e frends of ffraunces Newman who beinge sent a freeman and there susteyninge greate bondage and slavery by the means as is alledged of Cap^t Argoll for y^e cleeringe of w^{ch} itt is referred to the Articles by the Company preferred against him, and in the meane time have agreed to write to the Governor for his releasem^t, If vppon due examinaçon hee finde no cause to the contrary. [99]

The petiçon of y^e
frends of ffra:
Newman referd

The Gouvernor to
release him

A Charter parte by the Companies order beinge sealed by m^r T^rer: to paie 600^{li} to some named by Captaine Thompson within 14 daies after Certificate of the Ionathan^e saffe arivall att Iames Citty and landed her Passengers goods vppon request now of the Owners that hee would please that that said Charter parte might be cancelled the monny off, the monny beinge by right to be paid vnto them the Owners and not to him, and that hee would seale another for payinge therof Accordingly vnto them, the Courte approvinge of itt and desyringe him therevnto hee was content to seale itt beinge first cancelled.

The Charter party
sealed by m^r Th^rer
to Cap^t Thompson
to be cancelled and
another to be
sealed for paym^t
of y^e monny to y^e
Owners.

Iohn Edwards Petiçon beinge now read itt was agreed itt should be recomended to the Gouvernor.

Iohn Edward^e Pe-
tiçon to be Com-
ended to the Gou-
ernor

Likewise a petiçon of Iohn Piddox was allso recommended to be examined and returned by the Gouverno^r.

Io: Piddocks pe-
tiçon.

MAY Y^e XIth 1620PRESENT RIGHT HONO^{BLE}:

The Lord Cauendish.	m ^r Bromfeilde.	m ^r Bosewell.
The Lord Pagett.	m ^r Sam: Wrote.	m ^r Sheppard.
m ^r Thřer.	Cap ^t Bargaue.	m ^r Meuerell.
S ^r Iohn Dauers.	Cap ^t Bruster.	m ^r Geo: Smith.
S ^r W ^m Throgmorton.	m ^r Bamforde.	m ^r Barker.
S ^r Henry Rainsforde.	m ^r Ro: Smith.	m ^r Arundle.
S ^r Thomas Wroth.	m ^r Keightley.	
S ^r Iohn Wolstenholme.	m ^r Cranmer.	
m ^r Deputy.	m ^r Delbridge.	
D ^r Anthony.	m ^r Berblocke.	
D ^r Winstone.	m ^r Robertē.	
m ^r Gibbes.	m ^r Swifte.	
m ^r George Sandys.		
m ^r Tomlynē.		

One of y^e natiues
brought ouer by
S^r Tho: Dale verie
sicke

xx^s a weeke for 2:
moneths bestowed
on her

The Court, takinge notice from S^r William Throgmorton y^t one of the maides w^{ch} S^r Thomas Dale brought from Virginia a native of y^t Country who some times dwelt a servant wth a Mercer in Cheapside is now verie weake of a Consumpōon att m^r Goughē in the Black Friers, who hath greate care and taketh greate paines to comforte her both in soule and bodie whervppon for her recoverie the Company are agreed to be att the charge of xx^s a weeke for this two monneths, if itt please god shee be not before the expiraōn therof restored to health or dy in the meane season for y^e administring of Phisick and Cordiallē for her health and that the first paym^t begin this day seaven-night because m^r Thřer for this yeare reported his Accompts were

shutt vp, S^r W^m Throgmorton outt of his pryvate purse for the same purpose hath promised to give xl^s: all w^{ch} monney is ordered to be paide to m^r Gough through the good affiance y^e Comp^a: hath of his Carefull menaginge therof. [100]

xl^s bestowed on her by S^r W^m Throgmorton.

M^r Th^rer signified that the Ship called y^e Bona Aduenture last dispeeded ~~came~~ came not into the Downes till sunday last by reason wherof hee stayd out the full time graunted him by the Company duringe w^{ch} time hee hath pformed the Companies buisines soe carefully that to his remembrance hee not omitted any thinge comitted to his trust, by reason wherof hee hath not done any thinge to the lawes hopinge hee shalbe excused consideringe the buisines for dispatch of the Ship was not to be suspended wth, who to his knowledg is now out of Downes and on her way to Virginia.

The Bona Venture cam not to y^e Downes till sunday last.

nothing done to y^e Lawes

Wheras S^r Nath: Rich hath by order of the Courte had some conference 2: or 3: times wth Generall Cecill aboute an Engineer to be sent to Virginia y^e Comp^a hath since dealt wth S^r Horatio Veere who is allso exceedinge willinge & readie to assist them wth his best furtherance, soe that by both their means they may be the better supplied.

S^r Horatio Veere very willinge to assist y^e Comp^a:

Touchinge the pointe of mitegaçon of ymposiçon beinge by a Committee att S^r Thomas Smith^e agreed what course to take therein w^{ch} by reason m^r Alderman Iohnson was absent itt was referred till his Cominge to the Courte to vnderstand what is done in itt and of y^e successe therof.

y^e mitigaçon of the Imposiçon referred.

The Order made by the Lord Duke and y^e Lord Arundell vppō reference vnto them in y^e behalfe of the S^o: and N^o: Collonies a Coppy therof beinge p^ecured itt gave not sattisfacçon to the one Collony or the other, whervppō for as much as the N^o: Collony hath petiçoned to the Kinge for obteyninge a new Pattent and therin to declare the one Collony to have Priveledge wthin the other this Comp^a: findinge themselvs greived therby beinge a meanes to debarr them from the ymunities, his Ma^{tie}: hath freely and gratioously graunted them for

The order made by y^e II^s in y^e behalfe of y^e S^o: and N^o: Collonies disliked.

a Petiçon to be exhibited to his Ma^{tie}:

matter of ffishinge, itt is agreed y^t a Petiçon likewise be exhibited to his Ma^{tie} from this Company for the maintenance therof, and that some of the Ho^s: of the Pryvie Counsell w^{ch} are of this Societie be entreated to deliver itt from them, for pformance of w^{ch} the Courte hath requested m^r Thřer who hath assented to see itt effected.

2 men to be sent as Deputies to take care of 2 partē of y^e Publique Land.

Wheras itt was agreed that two worthie and sufficient men should be sent as Deputies from the Compa: to take care of 2 partē of the publique Land vizd of the Colledge and Companies for the first itt is allredy divulged, who is gone and of what worth and sufficiencie, for the other although hee be not yett goinge hee is not inferiour to the former butt is yett to be nameless the thinge hee stands of is matter of entertaynement w^{ch} wilbe no other charge to the Company the allottinge him land and transportinge him Teñntē thervnto and this beinge accordingly placed the first vppon the Companies Land att Elizabeth Cittie att the Cominge in of the River, S^r Georg Yearly in the middest wher the Gouverno^{rs} Land is, and m^r Thorpe [101] att the vpp end of the Colledge Land: The publique will from hence forth be preserved from the mallice and pryvate ends of any one whatsoever—wherevppon for the Institutinge of w^{ch}, and agreeinge wth the second Deputy for his entertaynement, the Courte hath referred itt to S^r Iohn Dauers, m^r Deputie, m^r Samuell Wrote, and m^r Delbridge, who are desyred to meet att m^r Thřerē to morrow att 2 of the clocke.

A Comittee

The rewardinge of m^r Pores labours referred to a Comittee

The ffees allowed of in Virginia by the Gouvernor and Counsell there vnto Iohn Porey Secretary of Estate beinge disauoued by the last Courte itt was therfore referred to the abouesaid Comittee to reward his labours in another kinde.

The Comittees for drawinge y^e Actē of y^e Generall Assembly into heads odne lyttle therin

The Comittees appoynted for the drawinge and Collectinge of the Actes of the generall Assembly in heads now reported that by the small light given vnto them how to pceed they have done little therin, and therfore desyred better to vnderstand their charge, and that by reason of shortnes of time, some more may be added vnto them that the buisines may be devided, otherwise itt wilbe hardlie pformed, whervppon was added

An Addiçon

to the other S^r: Henry Raynsforde, m^r Herbert, and m^r Bamforde, who have apoynted to meete vppon Satterday att m^r Th̄rers att 8 of the Clocke not only to collect them into heads butt to examine weigh them and deliver their opinions and Iudgments of them.

Cap^t Iohn Bargraue by the Audito^{rs} allowance assigned to m^r Elias ffoxton one Share of Land w^{ch} vppon reporte of his good vnderstand- inge & sufficiency the Courte have entreated that hee ioyne wth the Committee Chosen for the Acts of the generall Assembly.

Cap^t Io: Bargraue assigninge i share to m^r Elias Fox- ton elected to be a Committee C^r.

Docter Winston desyred that wheras hee beinge Chosen a Committee to prosecute law against Wye m^r of the Garland that another might be appoynted in his roome, his buisines beinge such that hee could not attend, whervppon they have entreated m^r Samuell Wrote to supplie itt & ioyne wth m^r Berblock for to follow itt w^{ch} hee hath assented to doe.

M^r Sam: Wrote to supply D^r Win- ston's roome in pse- cutinge y^e Law against Wye.

The last Courte tytled the impfect Courte beinge now read and putt to the question for allowance was by erecēon of hands ratefied ||and confirmed||. [102]

y^e last Courte ty- tuled y^e impfect Courte ratefied

S^r Thomas Gates by 5 seuerall bills assigned 14 shares w^{ch} beinge first allowed by the Audito^{rs} the Courte approved of as namely.

S^r Tho: Gates 14 shares to &^o

2 Shares to m ^r Edmond Hackett.	} 14
1 Share to S ^r Edward Lawley.	
5 Shares to S ^r Walter Earle.	
1 Share to Edward Clarke.	
5 Shares to Christo: Earle.	

M^r Deputy signified that one m^r ~~Roynes~~ ||Poynes||, and m^r Bartley desyred to have 2 seuerall Pattent^e for land each of them wth their Associates purposinge to transport Collonies into Virginia, thervnto, w^{ch} the Courte very well liked of.

2 seuerall Pattent^e allowed to m^r Poynes & m^r Bartley

THE PREPARATIVE COURTE 15^o: MAY 1620

PRESENT.

The Right honorable { The Lord of Southampton.
The Lord Sheffield.
The Lord Pagett.

m ^r Thñer.	m ^r Stewarde.	m ^r Casewell.
S ^r Thomas Roe.	m ^r Ia: Swifte.	m ^r Swinhowe.
S ^r Nicho: Tufton.	Cap ^t : Brewster.	m ^r Robert Smith.
S ^r Ferdina: Gorge.	Cap ^t : Bargaue.	m ^r Henry Brigs.
S ^r Iohn Dauers.	Cap ^t Warde.	m ^r Delbrige.
S ^r Henry Rainsforde.	m ^r Bromfeilde.	m ^r Woodall.
S ^r Tho: Wroth.	m ^r Palavicin.	m ^r George Smith.
S ^r Nath: Rich.	m ^r Cranmer.	m ^r Wheatley.
m ^r Deputie.	m ^r Bamforde.	m ^r Bull.
m ^r Tho Gibbes.	m ^r Berblock.	m ^r Couell.
m ^r Sam: Wrote.	m ^r Holloway.	m ^r Spruson.
m ^r Herbert.		

Bills to be sett vppon ye Exchange for sale of Tobacc^o and Sassafras. M^r Caswell signified that by some of the Adventurers of the Magazine who mett lately att S^r Thomas Smith^e ordered was given that bills should be sett vppon the exchange for sale of the Tobacco and

Tobacc^o deuided into 3 sortes y^e new to m^r Caninge & y^e olde to m^r Alder: Iohnson.

Sassafras, Whervpp^o att the times as was there exprest for the sale of itt, Sundry Adventurers mett att S^r Tho: Smith^e and divers straungers, and the Tobacco beinge deuided into 3 sortes and putt to sale by the Candle w^{ch} was adiudged as followeth the best sort of new Tobacco att ij^s—10^d to William Canninge [103] and the 2 worser sortes beinge olde Tobacco to m^r Alderman Iohnson who bid 2 the pound for the one and 12^d ~~the pound~~ for the other therfore hee was to certefie this Courte from him that if any pleased to give a ob: more in a ^{li}: they should have itt, whervppon grew a disputaçon of the base

price itt was sould for, holdinge itt more convenyent to have itt burnt then so to passe w^{ch} by Computacon all charges beinge borne yeilded not aboue iiij^d the pound, notwithstandinge att length itt was agreed that the olde Tobacco sould to m^r Alderman att the prices aforesaid in regard itt was old and defective should stand, and that the new should be putt into the hands of some trustie man to sell itt to y^e vttmoste benefitt of the Adventurers, and they to be allowed some reasonable recompence for their paines, w^{ch} beinge putt to the question for approbacon was ratified by ereccon of hands.

The new Tobacco to be put into y^e hande of some trusty man.

Wheras this day was apoynted by order of Court for hearinge y^e cause between Cap^t Argoll & Cap^t: Bruster, the said Cap^t Bruster made his appearance and desyred to be heard, butt forasmuch as Cap^t Argoll was absent, and in his behalfe was alleaged that hee desyred to be excused in somuch that hee was appoynted to attend the Spanish Ambassador, the Courte vppon the request of the said Cap^t Bruster deferred itt till ffryday afternoone next requyring the Secretary once more to give him notice therof.

The hearinge of Captaine Brusters cause deferred.

And forasmuch as by a standinge Law of the Comp^a: itt is ordered that when the Th̄er shall please hee may apoynt any Quarter Courte to hold both forenoone and afternoone, hee therfore signified, that forasmuch allso much buisines is to be pformed before the Election of Officers that they would meet the forenoone for the readinge and confirminge of Land and dispatch of such like buisines, that the afternoone might be solely sett a parte for Eleccon of Officers and other more weightie buisines.

The Comp^a: to meete in y^e forenoone.

Touchinge the pointe of mitigacon of Imposicon itt was thought good by reason againe of m^r Aldermans absence that itt be revyved att the Quarter Courte vppon Wednesday.

y^e mitigacon of imposicon to be reuiued at y^e Q: Courte.

The Comittee appoynted for to consider of certaine Land & Teñt^l w^{ch} the Courte thought fitt to be graunted vnto m^r Iohn Porey and therby to anihilate the intollerable ffees graunted him by the Gouvernor and Counsell of Estate there and sent hither for rateficacon reported now

The Comittees reporte touchinge m^r Porey.

that haveinge taken the same into consideraçon they hould itt requisite that for the present hee have 500 Acres of Land allotted for him and his Successo^{rs} and 20 men to be planted thervyppon to be transported att the Companies charge \$Ten\$ to be [104] sent this yeare and 10 next year w^{ch} hereafter may be enlarged as the Company shall see cause, w^{ch} beinge putt to the approbaçon of the Courte was allowed and confirmed by generall consent.

The Comittees for
y^e Act^e of y^e gen-
erall Assembly
dispensed wth till
y^e Qua: Courte in
Midsomer tearm

ffor the Comittee chosen for the Acts of the generall Assembly m^r Th^rer signified that they had taken extraordinary paines therin, butt forasmuch as they were exceedinge intrycate and full of labour hee in their behalfe desyred the Courte to dispençe wth them till the Quart: Courte in Midsomer Tearme w^{ch} will be aboute six weeks hence which the Courte wth many thanks vnto the Comittees for their great paines willinglie assented to itt.

Diuers shares
passed

Therwas now divers and sundry shares presented to be passed approued by the Audito^{rs} one bill of Adventure of 10 shares from my Lord of Dorsett, to Henry Manneringe six shares to six seuerall psons by Cap^t Iohn Bargraue, one to S^r Iohn Thornborough, one to Iohn Collett gen^t: one to Tho Collett gent, one to Thomas Masterson gent, one to Captaine Lawrence Maisterson, and one to Augustine Lynsell Batchellor in Diuinity Tho: Mellinge one Share to Iohn Cuffe, George Peirseý 4 shares to X^o: Martin, and lastly Tho Harris to Tho: Combe w^{ch} the Court ratefied and Confirmed.

The Comp^a: to giue
their seale for pay-
inge there Cost in
y^e Admiralty.

Wheras the last Courte made choyce of m^r Sam Wrote to ioynē wth m^r Berblock to prosecute law against m^r Wye m^r of the Garland they now acquainted them of the Custome of the Admiralty, that every one was to give securitie to that Courte for defrayinge the charges of the sute if in case they were ouer throwne, Whervppon itt was agreed y^t the Comp^a: should give their seale to subiect themselvs to that Authoritie, and ther was a Proxi sealed to the Procter m^r Milbury..

III. Writing of the First Copyist (not identified)
with John Ferrar's Notes

A Record of the Summer Islands' Courts, from the Ferrar Papers

Account Birds (over)

[illegible]

A QUARTER COURTE HELD FOR VIRGINIA AT M^r FERRARS IN
S^{tr} SITHES LANE THE 17th OF MAY 1620

PRESENT

y^e Right Honorable

The Earle of Southampton.	The Lo: Cauendish.
The Earle of Warwicke.	The Lo: Sheffeilde.
The Earle of Deuonsheire.	The Lo: Pagett.
The Lord Viscont Doncaster.	The Lo: Houghton. [105]
S ^r Nicholas Tufton Knight.	S ^r W ^m Maynard kn ^t .
S ^r Edwin Sandis kn ^t Th ^r er.	S ^r Thomas Roe kn ^t .
S ^r Frauncis Leigh kn ^t .	S ^r Iohn Merrick kn ^t .
S ^r Iohn Sammes kn ^t .	S ^r Robert Mansell kn ^t .
S ^r Robert Killigrew kn ^t .	S ^r Tho: Grantham kn ^t .
S ^r Io: Dauers kn ^t .	S ^r Henry Rainsford kn ^t .
S ^r Tho: Cheeke kn ^t .	S ^r Dudley Digge kn ^t .
S ^r William Fleetwood kn ^t .	S ^r Tho: Willforde kn ^t .
S ^r Henry Croft kn ^t .	S ^r Frauncis Egioke kn ^t .
S ^r W ^m Herrick kn ^t .	S ^r Thomas Wroth kn ^t .
S ^r Walter Earle kn ^t .	S ^r Lawrence Hide kn ^t .
S ^r Iohn Wolstenholme kn ^t .	S ^r Natha: Rich kn ^t .
S ^r Iohn Byngley kn ^t .	S ^r Frauncis Kennaston kn ^t .
S ^r Edward Lawley kn ^t .	S ^r W ^m Russell kn ^t .
S ^r Tho: Tracy kn ^t .	S ^r Tho: Button kn ^t .

m ^r Iohn Ferrar Deputy.	Thomas Gibbe esqr.	Nicholas Hide esqr.
Iohn Wroth esqr.	Christo: Brooke esqr.	Christopher Earle esqr.
Edward Clarke esqr.	m ^r Do ^r Gulston.	m ^r D ^r Winstone.
m ^r D ^r Anthony.	Iohn Bargraue esqr.	Samuel Wrote esqr.
Edward Herbert esqr.	George Sandys esqr.	Henry Reighnold esqr.

m ^r Arthur Bromfeilde.	m ^r Percey.	m ^r Chambers.
m ^r Edward Gibel.	m ^r Richard Rogers.	m ^r Barron.
m ^r Thomas Gibel.	m ^r Tho Keightley.	m ^r Turner.
m ^r Iohn Smith.	m ^r Tho: Sheppard.	m ^r Goodyear.
m ^r Iohn Porter.	m ^r Henry Brigs.	m ^r Widdowes.
m ^r Richard Tomlyn.	m ^r Iames Berblock.	m ^r Kinge.
m ^r ¹ Barkeley.	m ^r W ^m : Cranmer.	m ^r Shipton.
Iohn Holloway.	m ^r Nicho: Ferrar.	m ^r Bland.
Cap ^t Laurence Maisterson.	m ^r Robert Smith.	m ^r Bull.
Cap ^t Samuell Argoll.	m ^r W ^m : Caninge.	m ^r Cletherow.
Cap ^t Edward Bruster.	m ^r Nicho: Leate.	m ^r Morrice.
Cap ^t Daniell Tucker.	m ^r Humphrey Handford.	m ^r Price.
Cap ^t Warde.	m ^r Robert Bell.	m ^r Stiles.
m ^r Barkham.	m ^r Humfrey Slaney.	m ^r Mellinge.
m ^r Thomas Maisterson.	m ^r W ^m Leueson.	m ^r Meuerell.
m ^r Iohn Collet.	m ^r Caswell.	m ^r Bolston.
m ^r Edward Pallauicin.	m ^r George Smith.	m ^r Paulston.
m ^r Augustin Linsell.	m ^r Edwards.	m ^r Swinhow.
m ^r George Ruggle.	m ^r Whitley.	m ^r Bagwell.
m ^r Thomas Well.	m ^r George Scott.	m ^r Robert.
m ^r Swifte.	m ^r Edmond Scott.	m ^r Woodall.
m ^r Madison.	m ^r Chamberlyn.	m ^r Cuffe.
m ^r Palmer.	m ^r Abdy.	m ^r Collett.
m ^r Barbor.	m ^r Dike.	m ^r Buckredge.
m ^r ffishborne.	m ^r Bateman.	m ^r Darnelly.
m ^r Couell.	m ^r Morrer.	m ^r Ditchfeild.
m ^r Felgate.	m ^r Leuer.	m ^r Sywarde.
m ^r Combes.	m ^r Wiseman.	m ^r Hackett.
	m ^r Iadwin.	m ^r Nichol.
		m ^r Martin.
		m ^r Sparrow.
		m ^r Peter Arundell
		& many others.

This day beinge ordayned to be a great and generall Quarter Courte
 [106] By his Ma^{ty} gracious Ires Pattents for this Company and being

¹ A blank space in the manuscript.

summoned by m^r Th̄rer to meete both forenoone and afternoone accordinge to the authoritie given him by the standinge order of Courte and accordingly meeting ther were presented, five Pattents or payrs of Indentures for Land one payr to the Societie of Smiths¹ hundred, w^{ch} att a meeting amongst themselvs (in regard S^r Thomas Smith had assented to parte wth his interest therin so hee might have the monny hee had disbursed in that Ac̄con) they altered the name and agreed that from thence forth itt should be called and tituled SOUTHAMPTON HUNDRED.

Diuers Patents
read confirmed &
ordered to be
sealed.

The second to Cap^t Iohn Bargraue and his Associat[℥].

2

The third to Cap^t Iohn Warde and his Associat[℥].

3

The ffourth to Iohn Poyne esquire and his Associates.

4

The ffifte to Iohn Barkley esquire and his Associates,

5

All which Pattents and Indentures beinge read were well approved of and beinge putt to the question receaved a generall confirmācon agreeing that in the afternoone the legall Seale for the Company should be vnto them all affixed.

Vppon the mōcon of m^r Th̄rer who signified the forwardnes of sundry greate Lords to be assistinge in this buisines in regard of the worthyness of the Ac̄con the Courte hath willingly made choyce of them to be of his Ma^{ty}: Councell for Virginia, namely the Right Hono^{ble}: y^e Earle ~~the Earle~~ of Arundell the Earle of Deuonsheire, and the Lord Dauers.

Sundry Lord[℥]
made of y^e Coun-
cell.

Three or fower Proposīcons to be enacted for orders beinge presented to be considered of by m^r Berblock and beinge red the Courte held them worthy of deliberācon, and to that end appoynted a Comittee, vizd: S^r Iohn Dauers, m^r Iohn Wroth, m^r Gibbes, and the said m^r Berblocke.

3 or 4 Proposīcons
to be enacted for
orders referd.

Two Petīcons beinge red one exhibited by W^m Webb Husband thother by Frauncis Carter both desyringe gratefycācon for their extraordinary paines they were both referred to the generall Comittee & Auditor^s who best can iudge of their deservings.

m^r Webb, & m^r
Carter[℥] Petīcons
referd to y^e Audi-
to^{rs}.

Williã Barret gent assigned to S^r Henry Croft[℥] 1 Share of Land

m^r Barret assigned
1 share to S^r Henry
Croft[℥].

m^r Abra: Cartwright 1 share to m^r Challoner.

Allso m^r Abraham Cartwright surrendred one Share to m^r Challoner w^{ch} two shares beinge allowed by the Audito^{rs} was confirmed by the Courte.

The title of elec^{cion} to be red before y^e choice of Officers.

Vppon request of some of the generallytie itt was ordered that frome hence forth before the Company proceed to the choyce of their Officers the Chapter or title of elec^{cion} shall allwaies be red before. [107]

POST PRANDIÛ

S^r Frauncis Nethersole to sett in Courte.

In the begininge of this Afternoone Courte, m^r Th^rer acquainted them of one S^r Frauncis Nethersole who is shortly to goe into Bohemia, and because hee was not of the Comp^a: hee desyred libertie for him to sett amongst them this day to vnderstand their proceedings w^{ch} hee doubted not hee would reporte of elsewhere to the best w^{ch} the Courte willinglie assented to.

A message from y^e Kinge touchinge y^e elec^{cion} of the Th^rer.

Imediately after and before they proceeded in any buisines one m^r Kerkham agent sent from the King presented himselfe to the boord and signified to the Courte that his Ma^{tie}: vnderstandinge of the Elec^{cion} of their Treasu^{or} w^{ch} they intended this day to make choyce of, out of an especiall care & respect hee hath to that Planta^{cion} hath required him to nominate vnto them fflower outt of w^{ch} his pleasure is the Company should make choyce of one to be their Treasurer, That was, S^r Thomas Smith, S^r Thomas Roe, M^r Alderman Iohnson, and M^r Maurice Abbott, and noe other.

The buisines done in the forenoone rehearsed and ap^{roved} of.

After w^{ch} message delivered the Assembly beinge greater by much then was in the fforenoone, m^r Th^rear was pleased to signifie what buisines they had done before dinner, and thervppon rehearsed as itt is before exprest w^{ch} beinge now putt to the Question receaved generall approba^{cion}.

S^r W^m Cockaine & y^e Lo: Bishop of London mad free & of y^e Counsell.

The Courte moreover vppon the mo^{cion} & rela^{cion} by m^r T^rer of y^e great redines of S^r W^m Cockaine Lord Maior of this Cittie, and of the Lord Bish: of London to give the Comp^a: their best assistance in advanceinge this Action made them free of y^e Comp^a: and elected them allso to be of his Ma^{ties} Counsell for Virginia.

Then proceedinge to the Accoustomable manner the Courts were red, after w^{ch} m^r Thřer signified to the Courte the Companies former resoluçon for entertaynment of 2 new Officers by the name of 2 Deputies to governe 2 pts of the publique Land in Virginia, one was m^r George Thorpe well knowne to the Company for his sufficiencie who is all redie gone and have deputed him to governe the Colledge Land wth graunt of 300 Acres to be ppetually belonginge to that place and 10 Tenn^t to be placed vppon the Land, The other of the same worth now present called m^r Thomas Nuce, touchinge whome itt was agreed that hee should take charge of the Companies Land and Tenn^t in Virginia whatsoever and for his entertaynm^t have ordered that hee and such as shall succeed him shall in that place have 1200 Acres of Land sett out belonginge to that Office, 600 att Kiquotan, now called Elizabeth Cittie 400 Acres att Charles Cittie, 100: att Henrico, att 100: att Iames Cittie, And for the menaginge of this Land, have further agreed that hee shall have 40: Tenn^t to be placed thervppon, whereof 20 to be sent presentlie and the other 20: in the 2 Springs ensuinge all w^{ch} beinge now putt to the question receaved a generall approbaçon of this Quarter Courte who gave allso to m^r Nuce 150^{li} towards y^e furnishinge of himselfe out for that place. [108]

The allowance of y^e tw^o Deputies sent to gouverne 2 part^e of y^e publique Land.

m^r George Thorpe

m^r Tho: Nuce.

And itt is allso agreed vppon the request of m^r Nuce, wheras sundry gentlemen for his sake may Adventure their monny in this Acçon that such monney so adventured shalbe wholly imployed to the better peopoling of that Land w^{ch} hee hath thus graunted to him.

M^r Nuce his request.

Itt was agreed and Confirmed att this Courte that m^r Porey the Secretary and his successo^{rs} in that place should have 500 Acres of Land belonginge to that Office, and 20 Tennant^e to be planted ther vppon, wherof Tenn to be sent this year and tenn the next yeare and the Secretary there from hence forward should receave no ffees for himselfe, and the ffees to be paid his Clarkes for writinge & other charges to be rated here by the Courte.

The Allowance for m^r Porey the Sec^{ra}:

These buisines beinge thus ordered m^r Thřer accordinge to the standing Lawes of the Company before the giveinge vpp of his place proceeded to declare vnto this Courte the State of the Colony together wth y^e Supplies of this yeare, and the present State of the Treasury,

m^r Thřers relaçon of y^e State of y^e Collony & of y^e supplies sent this yeare

how both hee found itt and now should leave itt; ffirst therefore hee declared that it appeared by a lre written from the generall Colony and directed to this Company that att y^e latter arivall of the Ship called the Georg in Virginia w^{ch} was in Aprill 1618 the number of men weomen and Children was about 400: amongst w^{ch} 200 was the moste that were able to sett hand to husbandry and butt one Plough was goinge in all the Country w^{ch} was the fruite of full 12 years labour and aboue one hundred thousand marks expences, disbursed out of the publique Treasurie ouer and aboue ~~of~~ the some of betweene 8 and 9000^{li} Debt into w^{ch} the Company was brought, and besides the great expences of pticularr Adventurers.

The Collony beinge thus weake and the Treasury §vtterly§ exhaust, Itt pleased divers Lords Knights, gentlemen and Cittizens (greived to see this great Action fall to nothings) to take the matter a new in hand and at their pryvate charges (ioyninge themselvs into Societies) to sett vpp divers pticularr Plantaçons wherof the first of any moment now called Southampton Hundred hath had 310 Persons sent vnto itt, the next called Martin^e Hundred aboue 200 ~~psons~~ and some others in like sorte so that att the cominge away of Captaine Argoll att Easter 16i9 ther were Persons in the Colony neere—1000:.

Butt as the Pryvate Plantaçon began this to encrease so contrary wise the estate of the Publique for the settinge vp wherof about 75000^{li} had been spent grew into vtter ~~confusion~~ ||consumption||. ffor wheras the Deputy Gouvernor att his Arivall to that place w^{ch} was in or aboute may 16i7 hath left and delivered to him by his Predisessor a porcion of publique Land called the Companies Garden which yeilded to them in one year about 300^{li} profit, Servant^e : 54 employed in the same Garden and in Saltworks sett vpp for the service of the Collony, Tennant^e 81 yeilded a yearly rent of Corne & [109] services, w^{ch} Rent Corne together wth the Tribute Corne from the Barbarians amounted to aboue 1200 of our bushells by the yeare, Kine 80: Goate 88:—Aboute 2 years after vizd Easter 1619 att the Cominge away of the said Depu^{ty}: Gouvernor this wholl State of the publique was gone and Consumed ther beinge not leftte att that time to the Company

either the land aforesaid or Any Tennant, Servant, Rent, or Trybute Corne Cowe, or Saltworke and butt six Goates onely wthoutt one penny yeilded to the Company for their so great losse in way of Accompt or restitucon to this very day.

This is allso further to be knowne that wheras about 2: or 3: years before ther had been sent home to the Company within Compass of 14 monneths eleven seuerall Comodities, they were by this time all reduced to two namely Tobacco and Sassafras, and the plantinge & providinge of Corne soe vtterly neglected that the dearth grew excessive, had not the same beene sspedilie§ releived from hence with 200 quarters of meale sent thither att one time by the Magazine, and this was the State of the Colony in Virginia in Easter Tearme 1619, att w^{ch} time hee was chosen to their service in this place.

What in this year hath beene pformed by the Company for the Advancement of the Plantacon least hee might faile in memorie and reporte of the severall numbers hee hath reduced into writinge w^{ch} hee then p̄sented and read to the Courte the Tenor wherof here ensueth.¹

A note of the Shippinge Men and Prouisions sent to Virginia by the Treasuror and y^e Company Ann^o 1619

The Bona Noua of	—200· Tunn sent in August i6i9 w th	—120: Persons	Shippes
The Dutie of	—070· Tunn sent in January i6i9 w th	—051 psons	
The Ionathan of	—350· Tunn sent in ffebruary i6i9 w th	—200 psonns	
The Tryall of	—200· Tunn sent in ffebruary i6i9 w th	—040 psons & 60 Kine	
The ffaulcon of	—150· Tunn sent in ffebruary i6i9 w th	—036 psons 52 Kine & 4 mares	
The Marchant of London	—300· Tunn sent in March 1619 w th	—200 psons	
The Swan of Barnstable	—100· Tunn in March—1619 w th	—071 psonns	
The Bona Venture of	—240· Tunn sent in Aprill 1620 w th	—153 psonns	

Besides these ssett outt by the Treasuror and Company ther hath beene sett outt by particularr Adventurers for pryvate Plantacons.

The Garland of 250—Tunn sent in Ivne 1619 wth 45 Personns who are yett deteyned in the Summer Islands. [110]

¹The greater part of this report was printed. See List of Records, nos. 92, 183, pages 131 and 141, *ante*.

A Ship of Bristoll of 80 Tunn sent in Septemb^r 1619 wth—45 Personns
 Therare allso two Ships in providinge to be shortlie }
 gone for about 300 Personns more to be sent by }—300 Personns
 pryvate Adventurers to Virginia }
 Sume of the Persons 1261
 Wherof in eight Ships sett out by the
 Th̄rer and Company..... 871

Of these there are sent for Publique and other Pious uses these
 People ensuinge.

Tenants for the Gouvernors Land (& besides 50 sent y ^e former Spring)	080
Tenants for the Companies Land	130
Tenants for the Colledge Land	100
Tenants for the Mynisters Gleab Land	050
Young Maydens to make wives for soe many of y ^e form ⁹ Tennant℄.....	090
Boyes to make Apprentises for those Tenant℄	100
Servants for the Publique	050
Men sent by their labo ^{rs} to beare vp the Charge of bringinge vpp thirty of the Infidles Children in true religion and Civilitie.....	050
Sum of y ^e Persons for Publique Vse is	650:

The 6ii remayninge are sentt for pryvate Plantaçons

Comodities

The Comodities w^{ch} these people are dyirected principally to apply
 (next their owne necessary mayntenance) are these ensuinge

Iron for w^{ch} are sent 150 psons to sett vpp three Iron work℄ prooffe
 haveinge beene made of the extraordinary goodnes of that Ironn.
 Cordage for w^{ch} besides Hemp and fflax direcçons is given for Plant-
 inge of Silkegrass naturally growinge in those parts in great aboun-
 dance w^{ch} is approved to make the best Cordage and Lyne in the world
 of this every houshold is bound to sett 100 Plants and the Gouverno^r
 himselfe to sett 5000.

Pitch and Tarr: Pott Ashes, and Sope Ashes, for the makinge wherof the Polackers¹ are returned to their worke.

Timber of all sorts wth Masts Plankes, and Bord℥ for pvision of Ship-pinge and ther beinge not so good Timber for all vses in any one knowne Country whatsoever and for the ease and encrease of Divers of those worke, provision is sent of men and material℥, for the settinge vpp of Sundry Sawinge Mills.

Silke for w^{ch} that Country is exceedinge prop haveinge innumerable store of Mulberie Trees of the best, and some Silkwormes naturally found vppon them pduceinge excellent Silke some wherof is to be seene.

ffor the settinge vpp of w^{ch} Comoditie his Ma^{tie} hath beene gratuslie pleased now the second time (the former haveinge miscarryed to bestowe vppon the Company plenty of Silkewormes seed of his owne store being the best. [111])

Vines wherof the Country yeildeth naturally greate store of sundry sorts w^{ch} by Culture wilbe brought to excellent pfeccon for the effectinge wherof dive^{rs} skillfull Vignerons are sent, wth store allso from hence of Vine plant℥ of y^e best Sorte.

Salte w^{ch} worke haveinge lately been suffered to decay are now ordered to be sett vpp in soe greate plenty as not only to serve the Collony for y^e present but itt is hoped in short time allso the great fishinge on those Coastes.

ffor the followinge workinge and pfectinge of these Comodities all pvisions necessary for the present are sent in good abundance, As likewise the People that goe are plentifully furnished, wth Apparrell, Beddinge Victuall for 6 moneths, Implements both for house and labour, Armour Powder and many necessary provisions, provision allso is made for those of the Collony w^{ch} were there before, yett wth out any p̄iudice to the fformer Magazine.

Ther haue been giuen to y^e Colony this yeare by Deuoute Persons these giiftes ensuinge.

¹This word is written over the word "Polanders."

Guifte

Two Persons vnknowne have given faire Plate & other rich Ornam^{ts} for two Communion Tables, wherof one for the Colledge, and the other for the Church of M^{rs} Mary Robinson^e foundinge, who in the fformer year by her will gave two hundred pounds towards the foundinge a Church in Virginia.

Another vnknowne pson (together wth a goodly letter) hath latly sent to the Th^rer 550^{li}: in gold for the bringinge vpp of Children of the Infidles first in y^e knowledge of God & true religion, & next in ffitt Trades wherby honestly to live.

M^r Nicholas Ferrar deceased hath by his will given 300^{li}: to the Colledge in Virginia to be paid when ther shalbe tenn of the Infidles Children placed in itt, and in the meane time fower and Twentie pound by year to be distributed vnto three discreet and godlie men in the Colony w^{ch} shall honestly bringe vpp three of the Infidles Children in Christian Religion and some good course to live by.

An Vnknowne Person sent to the Th^rer the sume of Tenn pound for advanceinge the Plantaçon.

Ther haue been Pattent^e graunted this yeare for Perticular Plan-
taçons.

Pattent^e

- 1 To m^r Wincopp
- 2 To m^r Heath Recorder of London.....
- 3 To Doctor Bohunn
- 4 To m^r Delbridge.....
- 5 To m^r Tracie
- 6 To m^r Peirce.....
- 7 To m^r Poynte
- 8 To m^r Barkley
- 9 To Southampton Hundred
- 10 To Captaine Bargraue
- 11 To Captaine Warde

Who have vndertaken
to Transporte to Vir-
ginia great multitudes
of People wth store of
Cattle.

[112]

After w^{ch} writinge beinge read m^r Thērer pceeded to declare vnto the Courte the State of his Accompt, aswell for the Companies generall Cash as for the Cash of the Colledge, and first hee sayth hee hath receaved no warrant for disbursment of their monney butt such as hee knew to be iust and necessarie that in the booke of Accompt w^{ch} hee exhibited to the Courte Audited and approved by 5: of the 7 Auditor^s, and the other two beinge away hee hath sett downe distinctly the pticularr reasons as well of his severall receipts as of his Severall Disbursm^{ts} the breife wherof ensueth.

Recip^{ts} for the generall Cash.

	li	s	d
Remayninge of the last year.....	0111:	12	02
Old Debts & duties recovered.....	1442:	04	01
Bills of Adventure.....	0037:	10	00
Lottery monney.....	7000:	00	00
ffor Passengers & ffraight w th some Cattle sould.....	0809:	08	08
Monney Lent repayde.....	20:	00	00
Of the Citty for a hundred Children sent to Virginia.....	400:	00	00
Monny given.....	0010:	00	00
Sumis.....	9830:	14:	11

Disbursment^{ts} out of the Generall Cash

Old Debts and Duties discharged.....	3707:	17:	02
Settinge out Ship men and Provision.....	6598:	00:	06
Officers wages.....	0112:	10:	00
Petty charges layd out by the Officers.....	0013:	06:	11
Sumis.....	10431:	14:	07

Receip ^{ts} for y ^e Colledge.....	2043	2043:	02:	11½
Disbursment ^{ts} for the Colledge.....	1477:	15:	05	

The Comp^a lefte not one penny in debt. M^r Th^rer allso declared that for any buisines done in his yeare hee had not lefte the Comp^a: to his knowledge one penny in Debt exceptinge phapps the remayne of some charges att Plymoth wherof the Accompt was not yett com in and exceptinge that w^{ch} should grow due vppon the freight of Ships accordinge to the Contract^e made wth them by the Courte, and lastly that hee had lefte in Stocke for the vse of the Lotteries twelve hundred pound more then was lefte the former yeare.

1200^{li} in Stock for y^e Lotteri^e more then y^e former yeare. M^r Deputies Accompt^s exhibited in 3 booke. Hee pceeded then to declare y^t diue^{rs} great Somes haveinge by war^{nt} been paid out by him to m^r Deputy to be disbursed by him and the Comittees for furnishinge men and p^rvisions to Virginia, ther was by m^r Deputy exhibited to y^e Courte an exact Accompt of his doinge expressed in three booke, wherof the first was an Accompt of the pticulars of all the monny by him disbursed w^{ch} had beene examyned and approved as well by the Comittees as by the Audito^{rs} as appeared vnder their hands. [113]

The first Accompt of y^e pticulars of all y^e monny by him disbursed. The Second a Catalogue of Invoyses. The Second was a booke conteyninge a Cattalogue of Invoyses of all y^e provisions sent this yeare to Virginia sett downe in exact manner after the vse of Marchaunts.

The 3^d: Contayned a Cattalogue of y^e names of y^e Persons sent to Virginia at y^e publique charge. The third booke conteyneth a Cattalogue of the names of all the p^rsons sent this yeare att the publique charge to Virginia together with their seuerall Countries Trades and Ages, hee could not butt very greatlie comend m^r Deputy for his fidelitie care and Industry who neglectinge his pryvate buisines had employed his whole time together wth the great help and assistance of his brethren, in p^rforminge so well his charge full of incredible trouble.

Lastly his respectue thanks to the Company &c. Lastly hee concluded wth his respective thanks, first to the Comp^a in generall for their love in chosinge him, and then pticularly to the Lords for their so frequent presence to the graceinge of the Courte, and great assistance in the buisines; To the Officers for their faythfull ioyninge wth him in the supportinge of his burthen, and againe to the Courte in generall for their patience in bearringe wth his

vnwillinge erro^{rs} & other naturall infirmities, so deliveringe vpp his Office togeather wth the Sealls hee desyred the Courte to pceed in Elec^{ti}on of their Th^{rs}er, accordinge to the message lately receaved from his Ma^{ty}: and thervppon wthdrew himselfe out of Courte.

Vppon w^{ch} this great and generall Courte found themselvs vppon a deliberate considera^{ti}on of the matter att an exceedinge pinch for if they should not doe as the Kinge had commaunded they might incurre suspi^{ci}on of defect in poynte of duety from w^{ch} they protested they were and would be free, one the other side if they should proceed accordinge to the lymitt^e of that message they suffered a greate breach into their Prevylledge of free Elec^{ti}on graunted to them by his Ma^{ties}: letters Pattents, w^{ch} they held fitt rather to lay downe wth all dutie and submission att his Ma^{ties}: ffeet then to be depryved of their pryvelledge, and thervppon pvsinge the said Ires Pattent^e after longearguinge and debatinge, itt was concluded by generall erec^{ti}on of hands, that the elec^{ti}on might and should be Adiourned to the next Quarter Courte notwthstanding any order made by the Company to the contrarie.

The Eleccon of
Th^{rs}er adiorned

Whervppon forasmuch as itt manyfestly appeared that his Ma^{ties}: hadd beene much misinformed of the menaginge of their buisines this last yeare, Itt was agreed accordinge to the opynion aforesaide that the day of Eleccon should be putt of till the next great generall Courte some six weeks hence in Midsomer Tearme, and till they vnderstood the King^e farther pleasure, And in the intrym they humbly entreated the Right Honorable y^e Lord of Southampton, Vyscount Doncaster, The Lord Cauendish, y^e Lord Sheffield, S^r Iohn Dauers S^r Nicholas Tufton, S^r Lawrence Hide, m^r X^o: Brook m^r Gibbes m^r Herbert, m^r Keightley, and m^r Cranmer to meet vppon ffryday morninge att Southampton house to determine of an humble answere vnto his Ma^{ties}: message and to deliver to him a true informa^{ti}on aswell of the former as of this [114] latter years gouerment of the buisines for Virginia beseechinge allso that his Ma^{ties}: would be pleased not to take from them the Pryvelledge of their Ires Pattents butt that itt might be in their owne choyce to have free elec^{ti}on.

AComitteeto draw
an humble answer
to his Ma^{ties}:

S^r Edwin Sandys to holde his place till his Ma^{ty} pleasure was knowne and all other Officers continued. Vppon w^{ch} till his Ma^{ty}: pleasure were knowne S^r Edwin Sandys after much and earnest refusall, att length vppon earnest request of y^e whole Courte hee yeilded to sett down in his former place yett forbearinge to receave the Seales againe or to putt any thinge to Question and all other Officers were likewise continued till the same time.

y^e buisines Concluded after 6: to be of force. Itt was agreed beinge putt to the question y^t by reason of this Occasion that notwithstandinge any order the buisines concluded of after six of the Clock should this day be of force.

Cap^t Argoll & Cap^t Bruster^e buisines deferrd. Itt was agreed y^t the buisines betweene Cap^t Argoll and Cap^t Bruster should be deferred till Twesday att 2: of the clocke and then peremptorily heard wthout further delay.

S^r Edw: Sandys. 2 requeste. S^r Edwin Sandys made 2 requests one that wheras att returne of the Certificate from the Ships ther wilbe due to pay 2150^{li}: for which himselfe and m^r Deputy are engaged that for their securty such Lottery monny as hereafter commeth in may be paid vnto them to y^t Sume w^{ch} beinge putt to the Question was ratefyed.

y^e one for 2150^{li} hee & m^r Dep^t: stands ingaged for. y^e other y^t hee might retire into y^e Country. The other that for the quietness of his mynde and rest of his body hee might have libertie after the Tearme to retire himselfe into the Country vnto w^{ch} y^e Comp^a: promised to give answer att the next Courte.

M^r Wrotes mo^{con} for layinge out of monny in prosecutinge Lawe againte Wye. Vppon the mo^{con} of m^r Samuell Wrote that such monney as is layd out by him & m^r Berblock in the psecuting law against Wye, m^r Th^rer might pay the same by warrant to them the Court held itt very reasonable that if they vndertooke to follow itt att their request they should beare their charges therfore itt was generally agreed to as allso vppon their requeste now made vnto the Courte, The Company were willinge & assented, that if the said m^r Wrote, and m^r Berblock did enter into bond in the Admiralty Courte, accordinge to the Custome therof, the Comp^a: should give vnto the said m^r Wrote and m^r Bearblock vnder their Common seale authoritie to prosecute the sute and sufficient assurance to save¹ them harmless. [115]

¹ "Save" is written over the word "have."

AN EXTRAORDINARY COURTE HELDE FOR VIRGINIA Y^e
23TH OF MAY 1620

PRESENT

The Right Hono^{ble}:

The Earle of Southampton.	S ^r Eduard Sackville.
The Lord Cauendish.	S ^r Edwin Sandys.
The Lord Sheffeld.	S ^r Nicholas Tufton.
The Lord Pagett.	S ^r Henry Rainsforde.
	S ^r Thomas Wroth.
	S ^r Walter Earle.
	S ^r Fraunces Lee.
	S ^r Iohn Wolstenholme.

m ^r Deputy.	m ^r George Sandys.	m ^r Swifte.
m ^r Gibbes.	m ^r Sam: Wrote.	m ^r Louell.
D ^r Gulstone.	m ^r Palavicine.	m ^r Meuerall.
D ^r Winstone.	m ^r Rob ^t Smith.	m ^r Woodall.
Cap ^t Maynwaringe.	m ^r Gabriell Barbor.	m ^r Bull.
Cap ^t Argoll.	m ^r Bearblocke.	m ^r Sparrow.
Cap ^t Tucker.	m ^r Delbridge.	m ^r Mellinge.
Cap ^t Brewster.	m ^r Casewell.	

M^r Th^{er} desyred that before they pceeded into other buisines hee might speake a few words for the Cleeringe and iustifyinge himselfe, ffor wheras itt is divlged that hee should incense the Spanish Ambassador against Cap^t Argoll ||Capt Argall|| as also against ||the Lo: North and|| Cap^t North his brother hee vowed and protested that hee never did see the Spanish Ambassador butt in the streets nor never sent or received any message to or from him neither fre or any other writinge, Whervvpon in his his behalfe itt was said itt was impossible to be him, itt beinge sett afoote when hee was in the Country, butt that

M^r Th^{ers} relacion of some Aspersions layd vpon him y^t hee should incense y^e Spanish Ambassador against Cap^t Argoll and Cap^t North.

ther were so many of these Aspsions that this is no wonder, and that if they had their right they deserved to receave condigne punishment for rumoringe such falsities.

Cap^t Argoll and
Cap^t Brewster
their Cause heard.

This day beinge apoynted by order of Courte was spent in hearinge the Cause between Captaine Argoll, and Captaine Edward Brewster touchinge his Condepnaçon att a Marshallē Courte in Virginia, att such time as Captaine Argoll was there Deputy Gouvernor: the pceedinge wherin will appear by the sentence of the Courte w^{ch} att the request of Captaine Brewster was ordered to be sett downe in writinge and sealed wth the Seale of the Company.

The sentence of the Courte touchinge Cap^t Brewsters
Condepnation.

The sentence of y^e
Courte touchinge
Cap^t Brewster's
Condepnaçon:

The Threasuror, Counsell, and Company of Aduenturers, & Planters of the Cittie of London for the ffirst Collony in Virginia, To all vnto whome these presents shall com to be seene or heard Greeetinge, Wheras Captaine Edward Brewster hath heartofore exhibited aswell to the said Counsell, as allso to the said Thřer and Comp^a: assembled in their generall Courte, a Complainte in nature of an Appeale against Cap^t ||Samuel|| Argoll late Deputy Gouvernor of Virginia and from a sentence of Death awarded against ||the sd|| Cap^t Brewster, by a Marshall Courte in Virginia called and assembled by the said Cap^t Argoll y^e fifteenth day of the monneth of October 1618: w^{ch} sentence the said Cap^t Argoll in [116] his answeare to the said Complainte mayteyned to be iust and good: ffor the hearinge and finall orderinge of w^{ch} cause in variencie after [*the*] exaninaço and deposiçons had and taken att the Tryall of the said cause in Virginia, togethe^r wth the pceedings and sentence of the said Marshall Courte by vertue of a Comission by vs graunted were returned from Virginia; And after divers daies of hearinge formerly sett downe, and adiourned from time to time vppon default of appearance of the said Cap^t Argoll; Itt was now lastly ordered in a great and generall Courte: Commonly called a Quarter Courte held the seaventeenth day of May 1620, that on the twesday ensuinge pemptorily and wthout more delay in a generall Courte to be summoned for y^t purpose the said Cause should receave a full and finall hearinge and determinaçon.

At w^{ch} day beinge the three and twentieth day of the said monneth of May in a great Courte held by the Th̄rer and Company wheratt were present The Right Hono^{ur}, Henry Earle of Southampton, William Lo: Cauendish Edmond Lord Sheffeld, William Lo: Pagett, S^r Edw: Sackveill knight S^r Frauncis Leigh knight of y^e Bathe, S^r Nicholas Tufton knight S^r Edwin Sandys knight, S^r Iohn Dauers knight S^r Henry Rainsford knight S^r Frauncis Egioke knight, S^r Tho: Wilsford knight, S^r Tho: Wroth knight S^r Walter Earle knight, S^r Iohn Wolstenholme knight, S^r Henrie Maynwaringe knight, S^r Edward Lawley knight, Thomas Gibbes esqr George Sandys esquire, Samuell Wrote Esqr M^r Iohn Ferrar Deputy and a great number of the generallitie of the said Company: the said Cap^t Edward Brewster, and Cap^t: Samuell Argoll beinge psonally present, after a full hearinge as well of the said Cap^t Brewster as of the said Cap^t Argoll wth their seuerall Declaraçons and allegations on both sides and after mature deliberaçon, and weighinge of the wholl Cause, wth the Comissions Deposiçons and other writinge pduced Itt was by vs the said Th̄rer Counsell, and Company finally ordered and determyned as here ensueth.

Forasmuch as itt appeareth by his Ma^{ties}: Lres Pattents bearinge date the three and twentieth day of May in the Seaventh year of his Ma^{ties} raigne of England C^r. That all proceedings in matter of Iustice to be vsed and exercised in Virginia are to be framed as neer as may be agreable to the Lawes, pollicie and forme of Gouverment of this Realme of England, and that the graunt of the vse of Martiall Law in Virginia is in the said Lres Pattents expreslie restrayned to the cases only of Rebellion, and Mutenie in like sorte as his Ma^{ties} Lieutenant in the seuerall Counties of England have power by their Comissions to exercise the same, Which declaraçon of his Ma^{ties} royall pleasure touchinge the manner of Administraçon of Iustice in Virginia was expreslie incerted in the Comissionn for the place of Gouvernor graunted to the said Lo: Lawarr vnto w^{ch} Comission and the seuerall Clauses therin conteyned, the Comission for beinge Deputy Gouvernor graunted to the said Captaine Argoll had manifest reference: And Forasmuch allso as itt did no lesse playnlie appeare, and

was generally acknowledged that att the time of the said Tryall in Virginia the Country people there had and enioyed an vniuersall peace and tranquillytie at home and abroad. [117]

And moreouer itt appeareth by the pceedings and sentence of the said Martiall ~~Law~~ Courte authentically certified and returned to vs as allso of the examinaçons ther had and taken, that the said Martiall Courte pceeded against the said Cap^t Edward Brewster vppon the two and thirtieth Article of their Martiall Law sett downe in these words vizd, no man shall offer any Violence, or contemptiously resist or disobey his Comaunder, or doe any Act or speake any wordes which may tend to the breedinge of any disorder, or Muteny in the Towne or Feilde, or disobey any principall Officers directions vppon paine of death And that the fault wherwith the said Cap^t Brewster was charged and w^{ch} was iustified against him by two wittnesses, namely Thomas Parsmore and Iohn Lampkin was words importinge matter of Disobedience and opposiçon to the said Captaine Argoll not in his place of Gouverment butt in matter of pryvate varience aboute the Teñntē and servants of the said Lo: Lawarr then deceased w^{ch} beinge sett on worke by the said Captaine Argoll, the said Captaine Brewster (vppon allegaçon that by order from the said Lo: Lawarr they were to be sett to worke and gouerned by him, would have withdrawne from the worke, whervnto they were sett by the said Captaine Argoll, and have placed elsewhere to gett Clothes for themselvs, and so to follow their worke for behoofe of the executo^{rs} of the said Lord Lawarr and his fellow Adventurers wth some Colliericke and threateninge speeches vsed against the said Thomas Parsmore for refusinge to go wth him, butt not against the said Captaine Argoll for ought that appeareth in the said examinaçon; And lastly itt appeareth by the Certificate of the said pceedings that some of the said Court houlding those Martiall Lawē to be verie strict and seueere made a moçon to sue and entreat the said Cap^t Argoll to save the said Captaine Brewste^{rs} life, where vnto all were verie willinge and the Mynisters then present ioyned wth them therein, And that after much entreatie & many allegaçons by the said Captaine Argoll, in the end they p̄vayled wth him so much that they p̄cured his life

vppon some condiçions as appear in the said Captaine Brewsters Oath written wth his owne hand and sent thither wth the said Certificate, In w^{ch} Oath among other things expreslie conteyned that the said Cap^t Brewster should not directlie or indirectlie in England or elsewhere vtter anie Contemptuous wordes or doe any thinge that might turne to the dishonour or disparragment of the said Lord Lawarr or y^e Plantaçon or of the present Gouvernor which was the said Cap^t Argoll.

And that the said Captaine Brewster should returne no more to Virginia by any direct or indirect meanes: All which Prouisoos beinge duely weighed and considered the said Courte in fine pceeded to deliver their resoluçon: that the said pceedingē against the said Captaine Edward Brewster were vniust and vnlawfull, and not warrantable either in matter or forme by the Lawes of this Realme, or by any power or authoritie deryved from his M^{tie}: and that itt did not any way appeare to the said Courte that the said Cap^t Brewster either by the Deeds or words wherwth hee stood charged att the time of the said Tryall by the said Martiall Courte did any waie deserve the seueere penaltie of death, and that the manner [118] of the said tryall by Martiall Law, and in a Martiall Courte, beinge in time of soe generall peace and no rebellion or mutyney was to be held for vnlawfull and of no validitie and consequentlie the said Captaine Brewster was to be held as a legall man and not lawfully condemned the sentence of the said Martiall Court (from w^{ch} the said Captaine Brewster hath apealled) notwithstandinge; The substance of w^{ch} opinion and resoluçon of the said Court beinge first seuerally delivered by the said Lords, Knightē, and others of the said Councell there present, was finally approved and ratefied by the said Generall Courte by a generall erecçon of hands no one dissentinge except m^r Thomas Wroth.

And att the humble request of the said Captaine Brewster itt was ordered by the said Courte that this Acte of the said Court should be exemplied vnder their Legall Seale.

And wheras allso the said Captaine Argoll att such time as hee was Cap^t Argoll Gouvernor of Virginia writ a ðer vnto S^r George Yeardley here in England, and wthall sent sundry Copies to his great infamy and dis-

grace the said Ire by approbacon of this Courte was sent back to the Councill of State resydent in Virginia to examine the trueth thereof, w^{ch} S^r George Yeardley answeringe the same beinge long since returned was now read.

S^r Henry Maynwaringe assigned 5 shares of Land vnto S^r Edward Sackuill knight w^{ch} the Court ratefied and confirmed.

M^r Anthony Orby by his bill assigned 2 shares to S^r Nicholas Tufton knight w^{ch} likewise was allowed by the Courte.

2 Petiçonē de-
maunding monny
referred to the Au-
ditors

Two Petiçonē exhibited demaundinge monny of the Company w^{ch} they pretend due vnto them one Tenn years and the other six was referred to the Auditor^s to examine and reporte what they finde, vnto the Courte. [119]

A COURTE HELD FOR VIRGINIA THE LAST OF MAY 1620

PRESENT.

S ^r Edward Sackvill.	m ^r George Sandys.	m ^r Caninge.
S ^r Edwin Sandys.	m ^r Oxenbridge.	m ^r Casewell.
S ^r Baptist Hicks.	m ^r Buckley.	m ^r George Smith.
S ^r Henry Rainsford.	Cap ^t Bargraue.	m ^r Io: Smith.
S ^r Tho: Wroth.	Cap ^t Brewster.	m ^r Briggs.
S ^r Io: Wolstenholme.	Cap ^t Warde.	m ^r Bull.
m ^r Deputie.	m ^r Reighnoldē.	m ^r Foxton.
m ^r Gibbes.	m ^r Bamforde.	m ^r Arundle &
D ^r Winstone.	m ^r Sam Wrote.	divers others.

3 Proiectē pre-
sented
y^r: 1: from m^r
Palmer for a fitt
man for planting
Tobacco

Three Proiectē beinge p^rsented in writinge to m^r Th^rer it pleased him to deliu⁹ them vnto this Courte where beinge red the first from m^r W^m Pallmer touching the orderinge of Tobacco, and of a very fitt man named m^r Somerscallē; who is very skillfull in curinge that Plant wherby itt may be made more p^rfitable then itt is; Whervvpon the

Courte have entreated a Comittee to treate wth the said Summerscales aboute itt, vizd. S^r Iohn Dauers, m^r Deputy, m^r Gibbes, m^r Wrote, m^r Palmer, m^r Casswell, m^r Georg Smith.

The Second from m^r Englebert touchinge an Engine devised by him for p^rserving the Plantacon from force of Armes, was likewise referred to a Comittee that is to say S^r Edward Sackuill S^r Iohn Dauers, S^r Henry Rainsford, S^r Hen: Manwaring m^r Io: Wroth, m^r Tho Gibbe, m^r Wrote, m^r Brigges, and m^r Berblocke.

y^e 2: from m^r Englebert

A Comittee.

The third by one m^r Thomas More, for the makinge of Sope Ashes, pottashes secondly for the sowinge of flax and the right orderinge of itt: Thirdly for the employ^mt of Weavers, fourthlie for the sowinge of Hemp and the orderinge of itt, was also referred to be considered of by m^r Christopher Cletherow, m^r Bland, m^r Cranmer, m^r Bull, m^r Sheppard, m^r Caswell, and m^r Mellinge.

y^e 3: by m^r Tho: More.

A Comittee

A Ire was now red directed to m^r Th^rer from S^r Tho: Smith S^r Iohn Wolstenholme, and m^r Alderman Iohnson desyringe him to discharge y^e ffraught of the George they standinge engaged for the Company by Charter partie to see itt discharged the Magazine haveinge paid the Company 200^{li} ffor fraught of Passengers and goods.

A Ire red from S^r Tho Smith S^r Io: Wolstenholm & m^r Alderman Iohnson.

Butt forasmuch although the George was entertayned by the Company yett shee was employd and dcteyned there by the Magazine and what benefitt shee there reaped ~~th~~ by Passengers ffraught ffishinge, and otherwise was putt into the hands of Albrahā Peirse the Cape Marchant, for w^{ch} the Adventurers there must be answerable, And forasmuch also as the Accompt therof cannot for many impediments be yett pfected and that both Treasuries are Empty of Cash, m^r Ewens of necessitie must have a little patience to forbear itt a while longer. [120]

The sentence of the last Courte beinge drawne vp and engrosed of disanullinge of the Condempnation of Captaine Brewster by a Martialle Courte in Virginia summoned by Cap^t Samuell Argoll att such time as he was Deputy Gouvernor there, and beinge now read att the place to this effect that the wholl Courte agreed Captaine Brewster

The sentence of y^e last Courte for disanulling of Cap^t Brewster's Condempnation read.

S^r Tho: Wroth excep^{on}

to have been vniustly proceeded against both in forme and matter, and consequentlie remaynes still a legall man not one dissentinge, S^r Tho: Wroth onely tooke excep^{on} to these words (not one dissentinge) In somuch as hee now professed himselfe to be of a contrary opynion, and y^t att that time hee held vpp his hand against yt, And that the reason therof was for that Capt Argoll alleadginge that hee had answered Captaine Brewster in Writinge, that writinge of Cap^t Argoll^e was nott read att the hearinge of the cause; Against w^{ch} Allega^ons of S^r Thomas Wroths the wholl Courte did generally oppose averringe that hee did not vphold ||vp|| his hand against the sentence seeinge if hee had so done itt must have been seen by some of the Courte w^{ch} itt was not, no not [*one*] of them w^{ch} on purpose did observe him And that when m^r Th^rer did openly pronounce that the wholl Court was agreeinge no one dissentinge itt had been then fitt time for him to have declared his dissentinge w^{ch} hee did not.

S^r Tho Wroths al-
lega^ons opposed
by y^e wholl Courte

And for his allega^on touchinge Cap^t Argoll^e writinge itt was answered that the writings exhibited in this Cause by Cap^t Brewster and ||by|| Captaine Argoll were not exhibited to the Courte att all butt long since to the Counsell and by order of the Counsell were sent to Virginia wth a Comission for returninge of their pceedings in that case, by vertue wherof the wholl pcesse wth examina^ons of wittnesses was returned. w^{ch} examina^ons were all read openly att the hearinge of the cause, and the former pceedings of the Martiall^e Courte might have been read if itt had beene desyred, butt because the tryall itt sellfe by a Martiall^e Courte, was disaproved their manner of pceedings was not regarded: And if the same had been read itt would have cleerly appeared that they pceeded against Cap^t Brewster not by vertue of the Laws of England butt vppon the 32 Article of y^e Martiall Laws of the Low Countries, by w^{ch} Disobedience to any principall Officer was made death: and the Disobedience of Cap^t Brewster was in Commaundinge the Lo: Lawarres men then vnder his charge from the works vnto w^{ch} they were sett by Captaine Argoll to the works for w^{ch} they were sent by the said Lo: Lawarre and his p^tiners, Butt that the hearinge of this cause betwene Cap^t Brewster and Captaine Argoll was onely by word of mouth on both sides and not by writinge

and that both pties were heard att large and wth all indifferencie; Notwithstandinge the Court was content so much to sattisfie S^r Tho Wroth that an excepcon of him should be incerted att that clause, and further vpon the said Cap^t Brewsters request have agreed that a Duplicate of the said sentence shalbe sent to Virginia to shew y^t hee stands cleere. [121]

The Company gave their bond to m^r Samuell Wrote and m^r Iames Berblock to bear their charge and save them harmeless in the sute comenced by them againste m^r Wye and Sealled itt with their legall Seale in the presence of the Courte.

A bond sealed to
m^r Wrote & m^r
Bearblock.

M^r Treasurer declared that att the last Quarter Court for the Summer Iland^e betweene the time of giveinge vp of the Gouverno^rs place and the new choyce of a Gouvernor, makeinge offere to present some matter to the consideracon of that Courte concerninge (as hee conceived) the great daunger of those Ilands, butt beinge then stopped by some of that Courte from the deliverie hee would reveale itt to this beinge a buisines w^{ch} maynly concerneth Virginia, for soe longe as the same Ilands shalbe in safftie itt is probable that none will attempt to surprize Virginia, butt now as the case standeth the Somer Iland^e is much frequented with men of Warr and Pirates, wth whome the Inhabitants there are growne in greate likinge, by reason of the Comodities they bringe vnto them, insomuch that by a letter from one of their Mynisters dyrected to S^r Thomas Smith and red in open Courte the robbing of the Spanyards (as beinge lyms of Antechrist) is greatly comended: And y^e Ship called the Treasurer after her robbing of the Spanyard belonging to Captaine Argoll, is there entertayned and divers men of Warr sett out to the same end are there refreshed, one Kerbie allso a profest Pyrate as is reported doth haunt those Islands insomuch as if ther be not a strict Course taken herin itt wilbe made an other Argier. Therefore beinge a buisines of State and a matter of that consequence those Islands beinge the safftie of Virginia as aforesaid, his conscience tolde him that by their Oath they were bound to acquainte his Ma^{ties}: Priuie Councell therwth to have their advise and direccon therin Butt forasmuch as S^r Thomas Smith is

M^r Thier^e Decla-
racon of y^e Summer
Iland^e of y^e daun-
ger it stands in

Gouernor of y^t Comp^a: itt was desyred y^t hee might be acquainted therewith, to know if itt were his pleasure to make choyse of some other of the Somer Iland^e Societie to accompany them, Whervppō m^r Casewell and m^r Georg Smith were entreated to know S^r Thomas Smith^e pleasure herin and in y^e meane time this Courte have nominated S^r Edward Sackuill, S^r Iohn Dauers, m^r Thomas Gibbs, m^r Deputy, D^r Winstone, m^r Wrote, and m^r Berblock to repayre vnto the Lords att such time as they know S^r Tho: Smith^e resolu^on. [122]

S^r Thomas Gates. 3
shares to S^r Henry
Rainsforde & 3 to
Edw: Morgan Sir Thomas Gates by two seuerall bills assigned 3 Shares to S^r Henry Rainsford and other three to Edward Morgan of London Brewer w^{ch} the Audito^{rs} haveing approved the Courte now confirmed.

The Ballatinge
Box deteyned by
S^r Tho: Smith. M^r Deputy signified that wheras the Ballatinge Box was sent to y^e Su^mer Iland^e Courte of Elec^on to doe them at that time a pleasure, hee vnderstandeth that S^r Thomas Smith deteyneth the same, whervppon in regard itt was given to this Societie by m^r Holoway who in gratefyca^on therof bestowed vppon him a Share of Land of xij^{li} x^s they thought good to appoynt m^r Berblock and m^r Nicholas Ferrar to demaund itt of the said S^r Thomas Smith w^{ch} if hee refuse to deliver then to take some other Course for the obteyning therof.

A Ire from y^e La:
Lawar for a Share
to be passed to m^r
Waller. A Ire directed to S^r Edwin Sandys from the Lady Lawarr was now red signifyinge that wheras m^r William Waller of London Marchant had Adventured xij^{li} x^s wth her Lord 6 or 7 years sithence desyred this Courte that that share might be deducted from her Ladiships Accompt and past to the Accompt of the said William Waller, w^{ch} y^e Courte willingly assented vnto and confirmed.

Dutch Millwrights
from Hambor-
ough. M^r Th^rer signified vnto the Courte that m^r Deputy had procured Dutch Carpenters from Hamborough men skillfull for the erectinge of Sawinge Mills who were shortlie to come for England and to goe for Virginia for the vse and benefitt of the Company to sett vp Sawynge Mills there, for w^{ch} the Company gave him thanks as a thinge of great benefitt and Comoditie to the Collony, And appoynted that the Comittees should be acquainted wth the bargaine and take order for them when they come.

23 IVNIJ 1620

A COURTE HELDE

PRESENT

the Right Hono^r:

Lord of Southampton.	m ^r Tho Gibbes.	m ^r Caswell.
Lord Cauendish.	m ^r Deputy.	m ^r Paulson.
Lord Sheiffeild.	D ^r Winstone.	m ^r Geo: Smith.
S ^r Edwar: Sackuill.	m ^r Wrote.	m ^r Briggs.
S ^r Edwin Sandys.	Cap ^t Bargraue.	m ^r Cranmer.
S ^r Nicho: Tufton.	m ^r Hen: Reignold ^e .	m ^r Bland.
S ^r Williã Fleetwood.	Cap ^t Brewster.	m ^r Palmer.
S ^r Io: Wolstenholme.	m ^r Ditchfeild.	W th Diuers others.
S ^r Walter Earle.	m ^r Ro: Smith.	
	m ^r Berblock.	

[123]

M^r Th^rer signified vnto them that the Bona Noua being com from Virginia brought very good news that the Plantacon inioyed Peace health and plenty, but by reason of his exceedinge much other buisines haveinge not yett pvsed the f^res hee could reporte no more att present vnto them but hoped to do more hereafter.

The Bona Noua
Returned

Hee allso acquainted the Courte of a very difficult worke and of great importance w^{ch} was referred to himselfe and D^r Winstone of Collectinge all the Adventurers from the begininge into a booke to be putt in print as now determynd.¹

The Adventurers
names printed in
a booke

And wheras sundry fowle asp^econs have been laid vppon Virginia to the disgrace therof, And to that end itt was ordered that an Apologie should be sett outt hee tould them that both that and the other would com forth verie shortlie in w^{ch} there had been taken a great deale of paines as to them who should please to pvse itt would appeare.

An Apologie to set
forth

¹ This list was printed under the date of this Court. List of Records, no. 183, page 141, *ante*.

m^r Whittakers and
m^r Huddleston
Comended.

Hee haveinge receaved notice of the good carriage of some psonns in Virginia was specially to recomend vnto them one m^r Iabez Whittakers Leivetennāt of the Companies men who had given a good Accompt of the trust reposed in him likewise m^r Huddlestons m^r of the Bona Noua who discharged himselfe well of all that was reposed to his trust and returneth much comended from the Gouvernor and Counsell, as one of the sufficientest M^{rs} that ever came thither.

The Comittees re-
porte touchinge m^r
Somerscales Pro-
iect

The Committee (apoynted to treat wth m^r Somerscales touchinge the Proiect) deliue^d that they have had conference wth him, and they said that the attayninge of his ends is by raysinge a Stock to be adventured of 15000^{li} for w^{ch} hee would drawe a Preamble and present itt to the Courte for so many as pleaseth to vnderwrite.

Mr Egelbert

The other Committee haveinge Conference wth M^r Eglebert, S^r Io: Dauers deliue^d y^t hee thought him to be a fitt man and sufficient for that hee vndertaketh and haveinge receaved his Demaunds in writinge presented them to the Court, w^{ch} beinge red was referred to y^e said Committee to consider of againe wth him against y^e Preparative Courte.

The Comittees re-
porte touchinge m^r
More.

Touchinge the Proiect of m^r More for the makinge of Sopeashes Pottashes and the Plantinge of Hemp and flax C^r the Committee haveinge speech wth him reported that for the mayntenance therof itt did not much disagree from the manner of the former raysinge a Stocke for y^t purpose but by reason hee is gone to be a while absent itt remayneth to be further expected.

A writinge from
m^r Crashawe.

A writinge beinge sent from m^r Crashaw intimatinge of one that will make Comodities in Virginia of good worth w^{ch} shalbe marchantable in all places of the world was referred to the said m^r Crashaw and m^r Deputy to conferr wth him.

onedesired to haue
y^e sole importaçon
of a Comoditie not
now in Vse.

Itt was allso made knowne that therwas another who desyred to have the sole importaçon of a Comoditie not now in vse for 7 years for w^{ch} hee will give to the Company 100^{li} p Annū and plant 25 men every yeare for the said 7 years, and att the expiraçon of the said tearme will resigne itt vpp to the Company w^{ch} beinge now considered of was referred to S^r Iohn Wolstenholme, S^r Iohn Dauers D^r Winston, m^r Gibbes and m^r Cranmer to treat farther wth him. [124]

S^r Edwin Sandys farther moved that wheras itt is allredie agreed y^t y^e Gouvern^t of the Companies pticularr Land is taken from S^r George Yearly not that hee held him vnfitt for the managinge therof butt by reason of his many other buisinesses, vnto w^{ch} place they have deputed Captaine Nuse agreeinge to send 20 men wth him presentlie for his owne benefitt, and 20 more hereafter as they have formerly deputed m^r Thorpe wth allowance of tenn men to gouerne the Colledge Land, And because the Secretary should not exact any thinge from the Inhabitant^e nor receave any fees himselfe neither his Clerks (butt such as this Courte shall order), itt was agreed also that hee should have tenn men forthwith sent him, therefore moved that for the send- inge of these 40 men a Ship might presentlie be dispatched, and that 70 more might be added vnto them to make vpp the 130 vppon the Companies Land full 200 Personns there beinge means for the pform- ance of itt, w^{ch} although theris some difficulties to send att this time of the yeare by reason of victualling the Ship, w^{ch} yett wth good care and providence may be ouercom, and the passage more daungerous in respect of heate then att other times, yett for the people to come ther in the beginninge of winte^r itt is verie advantagious for them to pceed in their laboures and more wholsome for them then to Land att other times of the Year, desyringe those that shall succeed him to send no base men as also if they thought well of this, that then no money be issued till this be pformed, And that 2000^{li} might be paid into the Committees immediately from the Lotteries w^{ch} being well approved wthout any opposiçon being putt to the question was gener- ally allowed of.

The Gouvern^t of y^e Comp^{ts}: Land put to the Care of Capt: Nuse.

10 men to be sent to y^e Secretarie

A note beinge read wherin the Magazine Adventurers desyred this Courte to appoynte a Comittee to ioine wth some they had allredie made choyse of for cleeringe the Accompts betwixt them aboute the George that the Maister and Owners therof may receave sattisfaction itt was very well approved and to that end have nominated m^r Deputie, m^r Wrote, m^r Cranmer, m^r Briggs and m^r Bland to end not onely this butt what difference else in matter of Acc^{ts}: may be betweene the Company and the Magazine, and to meete vppon Twesday morninge att 8 of the Clock att S^r Edw: Sandys.

An Adiçon to a former Comit: touching y^e Magazine Acc^{ts}:

A former order of Courte wherein S^r Tho: Wroth dissented in opinion said to be vntruly sett downe

The order of Courte beinge read wherein S^r Tho: Wroth declared himselfe to be of a contrary opinion in the Cleering of Cap^t Brewster was said by m^r Th̄rer, and m^r Deputy to be vntruly sett downe to the wronge of the Courte as many other orders had formerlie beene and that itt was penned by another and not by the Secretarie for certifyinge of w^{ch} itt was referred to S^r Edward Sackvill and m^r Deputy, and for that w^{ch} m^r Th̄rer hath ~~duly~~ done in rectefyinge the orders the Court hath now approved and given him thank^e for the same.

The Committee for y^e saftie of Virginia & So: Ilands desired to meet

The Committees appoynted by the Virginia Court and y^e Sumer Iland^e Courte to Consider of the best Course for the safetie both of Virginia and the Summer Iland^e are entreated to meete att S^r Tho: Smith^e uppō Twesday in the Afternoone att 3 of the Clocke. [125]

The Committees for y^e Orders p̄nted: by m^r Berblock to meet

The Committee for the Orders p̄sented by m^r Berblock are desyred to meete att S^r Edwin Sandys vppon Satterday att 4: of the Clocke.

mony p^d into m^r Th̄rer

My Lo Cauendish now paid to m^r Th̄rer for y^t w^{ch} was owinge by subscrip̄on 50^{li}: m^r Tho: Bond brought in 37^{li}: 10^s: Iohn Zouch esqr 25^{li} and m^r Iohn Ferrar 12^{li}: 10^s: in all 125^{li}: bills beinge sealed in open Courte vnto them for the said somes, and allso their seuerall bills beinge allowed by the Audito^{rs} were passed ouer to sundry men: 34 shares by S^r Thomas Gates, vizd to S^r Phillip Cary 14: to m^r Fraunces Challoner 5: to m^r Henry Box: 3: to m^r Thomas Vyner: 2: to m^r William, m^r Arthur, and m^r Thomas Swaine 3, to m^r W^m Swayne one, to m^r Anthony Biddolph one, to m^r Georg Clerk one to M^r William Watson one, to M^r Richard Greenway one, to m^r Iohn Laurence one, to m^r Thomas Stubbins one, Likewise 4 shares to m^r Iohn Halsey vizd to m^r Richard Lambe one to m^r Iohn Lamb one, to m^r Iohn Budge one, to m^r Thomas Wetherell one Lastly one share to m^r Phillip Iermyn esq^r by Cap^t Bargraue.

4 Dutch Carpenters com ouer

M^r Th̄rer acquainted the Court y^t the 4 Dutch Carpenters p̄cured by m^r Deputy^e means for erectinge of Sawinge Mills in Virginia are now com ouer for the service of the Company and that in this next Ship are fitt to be shipped thither.

26 IUNIJ 1620.

AT A COURT THEN HELDE WAS

PRESENT

right Hono^{ties}: Earle of Southampton.
Lord Sheffield.

S ^r Edward Sackvill.	m ^r Iohn Wroth.	m ^r Reignold ^e .
S ^r Edwin Sandys.	m ^r Gibbes.	m ^r Berblock.
S ^r Dudley Diggs.	m ^r Deputy.	m ^r Casewell.
S ^r Nicho: Tufton.	m ^r George Sandys.	m ^r Bull.
S ^r Io: Dauers.	D ^r Winston.	m ^r Swinhow.
S ^r Phillip Cary.	m ^r Herbert.	m ^r Cranmer.
S ^r H: Fleetwood.	m ^r Wrote.	m ^r Geo: Smith.
	m ^r Rob: Smith.	m ^r Rob ^{ts} : w th
		many others.

M^r Th^rer signified that accordinge to the order vppō his mo^oon in the last Court for a Ship to be dispeeded vppon the occasion there exprest the generall Comittee hath mett, and resolved amongst themselvs that out of the 16: they would make choice of 12: w^{ch} should vndertake this charge beinge content themselvs if y^e Court should so desire to seale the Charter ptie and to lay out so much monny for that purpose as is needfull; for w^{ch} end amongst themselvs they have made choyce of m^r Deputy to be their Treasurer [126] and reckninge the charge to be about 2000^{li} they desire the order of the Courte to save them harme- less as in like case hath beene given ~~in like case~~ to m^r Th^rer and m^r Deputy, And moreouer for their better securitie moved that a war^rnt might be made to the menager of the Lotteries to advance vnto them so much monny when itt is in his hands to be receaved by them and disbursed vppon Accompt w^{ch} the Court well approved and beinge putt to the question was confirmed by erec^oon of hands.

12: out of y^e 16: Comittees chosen to seal y^e charter partey and m^r Deputy to be ther Thre^r

War^rnt for 2000^{li} to be paide out of y^e Lotterie

The Committees also reported that they had seene a Ship w^{ch} they well liked of as fitt for that vse.

The order referred to S^r Edward Sackvill and m^r Deputie in the last Court to be drawne was now presented by them w^{ch} beinge read to touching Cap^t the Court was allowed and by erec^on of hands agreed that itt should Brewster lyked take possession of the former in the same place.

Cap^t Argoll^e reporte of writtings suppressed. Whereas Cap^t Argoll complayneth that m^r Trer vppon the hearinge of the cause betwixt Cap^t Brewster and him did suppress divers writtings w^{ch} might have stood him in great steed the Courte p^{ee}vinge no such thing & beinge sattisfied of the contrarie will vppon all occasion iustifie that reporte to be false and malicious.

Cap^t Argoll^e cause agreed to be heard in Courte. And forasmuch as the said Cap^t complayneth of hard measure in regard his answere vnto the Articles exhibited against him were not read in Courte itt was therfore agreed that both bill and answere should be brought to y^e Courte, and soe the whole cause to be tryed by them by w^{ch} meanes itt will sooner be ended, w^{ch} was done with the generall consent of all the Counsell then present who accordinglie dismissinge themselvs of the wholl cause had devoulved itt to the Courte to be there heard and ended.

2: or 3 Lawes to be Added. M^r Th^rer signified that the Committee for the standinge orders doth reco^mend vnto this Courte 2: or 3 lawes w^{ch} they thinke needfull to be incerted amongst the rest, if this Court and the Quarter Courte approve therof, one is concerninge the title of Courts, and 2 other of the § Title of y^e § generallytie w^{ch} be these as followeth.

Standinge Lawes ordered to be printed. Vppon w^{ch} itt was moved by m^r Robert Smith for the better accomodatinge of every pticular member of this Societie that the standinge lawes might be printed w^{ch} was generally well liked and approved, butt whether to be done presently or some time to be respited dependeth to be determyned.

A Committee. Itt beinge made knowne that sundry of the Committee by order from this Courte beinge to meet wth a Committee by order from the Sum^r

Iland Courte by reason of some other buisines could not attend to morrow in the afternoone. In their roomes the Court hath now made choyce of S^r Nicholas Tufton, S^r Walter Earle, and S^r Phillip Cary who promised to give their Assistance. [127]

m^r Th̄rer allso acquainted them that forasmuch as a Charter is in p̄paring for m^r Thorpe, m^r Nuse, and m^r Porey, w^{ch} is to be confirmed in the next Courte if itt be approved, as allso the Charter last drawne w^{ch} should have beene read in the last Quarter Courte in the afternoone allso w^{ch} was not and that theris a Pattent for Iohn Zouch esqr to be then ratefied, & likewise that since the Confirmation of the Pattent for Southampton Hundred, some are gone outt and ~~some~~ ||others|| to be incerted in their places for w^{ch} hee would surrender itt and take a new one, that therfore the Courte vpon Wednesday might hold as formerly both forenoone and afternoone w^{ch} the Court well approved and vpon request agreed that hence foreward a Duplicate of such Pattents as are graunted here should be sent to Virginia w^{ch} m^r Th̄rer said should all be sealed in open Courte as all other things yett had been during his time.

A Charter for Establishinge diuers Officers

Iohn Zouch Patent.

South: Hundred Patē.

Duplicate Patentē.

Next hee acquainted them of 2 things w^{ch} hee p̄fessed to take no delight in butt for the Companies sake hee was content to p̄cure to himselfe a great deale of ill will and malice because hee would not see them abused.

The first conteyneth a p̄ceedinge of the Counsell vpon a Petiçon exhibited vnto them by Cap^t Argoll w^{ch} p̄ceedinge (as is informed) was drawne by S^r Nathaniell Rich, and a Coppie therof given to Capitaine Argoll by the Secretary, vnto w^{ch} the said Capitaine hath gotten diuers of y^e Counsell^rs hands, wherin theris one poynt that the said Capitaine Argoll may himselfe make choyce of any two of the Councell to examine his wittnesses w^{ch} is contrary to the desire of him in the next Courte as by the order therof may appeare, and besides w^{ch} itt was not lawfull to be graunted to him to choose whome hee list, for soe hee might choose such as professed themselvs to be his ptners, w^{ch} were a choyce not convenient.

The proceedinge of y^e Counsell touching Cap^t Argoll's Petiçon drawne by S^r Nath Rich.

M^r Caninge & M^r Essington^e Peti-
cion to S^r Tho:
Smith scandaliz-
inge y^e present
gouverment.

M^r Alder: Iohnson

80 & odd pounds
remitted to Alder:
Iohnson by my
Lo: of Southamp-
ton.

2 Att a meetinge att S^r Thomas Smith^e for the magazine w^{ch} they had
noe power to doe (haveinge no leave from the Courte) a Petiçon was
deliue^ded to S^r Thomas Smith by m^r Caninge and m^r Essington layinge
great aspēons and scandall^e vppon the last years gouernment much
praysinge y^e former Whervppon the said m^r Caninge and m^r Essington
was warned from the Counsell to attend, butt itt appeared neither of
them was present. Att w^{ch} time as was now deliuered by some that
were there present another thinge was there done aboute iustefyinge
m^r Alderman Iohnson in many poynt^e, amongst the rest one Article
betwixt the Comp^a: & y^e Magazine w^{ch} beinge referred to be deter-
mined by my Lo: of Southampton, itt pleased his Lo^p: to decide and
end, since w^{ch} time his Lo^p: pleasinge to com vnto a Somer Ilands
Courte one Argum^t did arise betwixt his Lo^p: and m^r Alderman, and
amongst other things his Lo^p: affirmed that vppon request of the said
m^r Alderman hee was content to strike off 80 and odd pounds of profit
w^{ch} was due to the Company, and the rather his Lo^p: was drawne
vnto itt, as wishinge peace and quiettness, butt m^r Alderman deny-
inge the same did say that there was not a word true, vppon w^{ch} his
Lo^p: pduced a writinge signed by the Audito^{rs} to avouch the same,
and that such a some ther was cutt of w^{ch} was allso now iustefied by
divers others of the Courte. [128]

S^r Nath: Rich to be
warned to y^e Quar-
ter Courte.

ffor the ffirst poynt because itt concerneth S^r Nathaniell Rich it was
thought good hee should be warned to the Quarter Courte

S^r Dudley Digs ap-
poynted to draw a
writinge C^r to be
presented to Sec-
reta: Naunton.

The Second poynt after a full examinaçon was agreed to be disavowed
by an Acte of Courte to w^{ch} purpose they entreated S^r Dudley Diggs
to drawe a writinge accordinge to his ~~writinge~~ understandinge w^{ch}
beinge approved by the Courte the Councell^e Seale might be affixed
and deliuered to m^r Secretary Naunton to present to the gracious veiwe
of his Ma^{ty}: Whervppon S^r Dudley Diggs vndertooke the Taske and
dictated in this manner followinge

Ivne 26: 1620

The tenor of y^e
draught S^r Dudley
Diggs made

Itt appeareth att this Preparatiue Courte that a pryvate meetinge of
some gent⁹ and Marchant^e att S^r Thomas Smith^e house in his bed

Chamber vppon ffryday the 16th day of Ivne 1620, wher ther was no sufficient authoritie, one m^r Caninge delivered a Petiçon to S^r Thomas Smith conteyninge y^e applauding of his former gouernment and much scandalinge the pceedinge of y^e present the pretended end of this Petiçon beinge onely to obteyne y^e dissoluçon of an iniunction in a pryvate sute graunted Cap^t Bargaue against S^r Thomas Smith, m^r Alderman Iohnson, and himselfe wth others: w^{ch} last poynte was onely debated the other two not touched as divers present now testifie, who were there and disliked itt, and protest itt never went by hands nor generall consent: W^{ch} occasions this Courte to thinke that, that pryvate buisines of Cap^t Bargaues was butt taken hold of for some other purpose, the rather for that itt was in this Courte avowed that Caning soone after sayde that the Petiçon was now with the Kinge and a figg for the piper, w^{ch} malicious kinde of pceedinge to advance craftylie or impayre falslie mens reputaçons this Courte doth vtterlie condemne and thinke fitt to be censured in the next Quarter Courte for w^{ch} cause Canninge and all that were present att that pryvate meetinge are to be summoned to the next Quarter Courte.

The names of those that were present at that Assemblie & now openly in this Courte protested their dislike and disavowinge of that Petiçon and the proceeedinge there ensuinge

S ^r Iohn Dauers.	m ^r Swinhowe.
m ^r Robert Smith.	m ^r George Smith.
m ^r Berblocke.	m ^r Bull.
m ^r Casewell.	m ^r Robert.

Sealled by order of Courte and
recomended to m^r Secretary Naunton
to be humbly p^sented by him to
y^e most gracious veiwe of his Ma^{tie} [129]

W^{ch} beinge twice read to the Courte was exceedinge well liked agreeinge that itt be delivered as is formerlie sett downe, and beinge putt to the question was ratefied by ereccon of hands.

m^r Daud Bennett
enfranchised

M^r Daud Bennet for the love of m^r Nuse hath brought in 37^{li}: 10^s: 00^d
whervppon hee was admitted into the Societie agreed that itt shalbe
disposed accordinge to the former order.

Ea: of Southamp-
to allowed 50:
Acres a peece for
10 men w^{ch} he sur-
rendred vizd to

The Right Honorable the Lord of Southampton who sent Tenn men as
now appeared wth the Lo: Lawarr was allowed accordinge to order &
custome 50 Acres a peec w^{ch} hee surrendred presentlie away vizd 4:
of them to m^r Thomas Riseley, 2 to m^r Porter, 2 to m^r Gifford, and 2
to W^m: Smith who were admitted to be of the Company and that therbe
order given that they be deducted from the Accompt of the Lord
Lawarr.

1 Share to m^r
Whetcombe
1 to m^r W^m Pollard
1 to Henry Hick-
ford who assigned
itt to Io: Martin

M^r Harper assigned one share to m^r Whetcombe, and wheras S^r Fraun-
cis Parrington hath formerly assigned 2 shares one to W^m: Pollard
and theother to Henry Hickford w^{ch} the Courte allowed of, Now the
said Henry hath resigned his share vnto Iohn Martin Marchanttaylor.

28 IVNIJ 1620.

A GENERALL QUARTER COURTE HELD IN THE fflorenoonE AT M^r FERRARS HOUSE THE XXVIIJ^{ts} OF IvNE 1620

PRESENT

y^e Right Hono^{le} The Lord Pagett.
S^r Edwin Sandys Theñr.
S^r Iohn Dauers.
m^r Wroth, m^r Gibbes.
m^r Palauacine.
m^r Iohn Ferrar Dep^{ty}.
m^r Tomlynē.
m^r Reignolde.

m ^r Iohn Smith.	m ^r Oxenbrige.	m ^r Bromfeild.	m ^r Essington.
Captaine Nuse.	Cap ^t Brewster.	m ^r Berblock.	m ^r Briggs.
m ^r Ro ^{bt} : Smith.	m ^r Caswell.	m ^r Bull.	m ^r Mellinge.
m ^r Nich: Ferrar.	m ^r Robert ^e .	m ^r Swinhowe.	

m^r Wrote.
 m^r Palmer.
 m^r Newporte.
 m^r Cuffe with others.

A Charter pty beinge read for establishinge of Deputies for y^e Colledge ^{a Charter party.} and this Comp^a: & for y^e Secretaries place was well liked and agreed to be ingrossed.

Addiçon of Counsellors

m^r Th^rer declaringe the necessitie of some such to be added to the Counsell as were cheiflie to give attendance att the Courts, signified of a pap putt into his hand^e w^{ch} recomended vnto him certaine Gentlemen, and Cittizens who for there worth and extraordinary paines well merited that place if the Court should approve therof vizd: The Lord Haughton, S^r Edward Sackuill, m^r Sam: Wrote, m^r Tho: Keightley [130] m^r Tho: Sheppard, m^r Robert Smith, m^r D^r: Winstone, and m^r D^r: Gulstone, w^{ch} was referred as all other things now agreed of to the Confirmaçon of the afternoone.

Vppon notice from S^r George Yeardley y^t the Councello^{rs} in Virginia ^{Supply of Councello^{rs} in Virginia} must needs be supplied, the Court hath now chosen m^r Thorpe, m^r Nuse, m^r Pountus, m^r Tracy, m^r Dauid Middleton, and m^r Bluett to be of the Councell of Estate in Virginia.

Wheras itt is agreed that a Ship shall presentlie be sent wth 120: Persons and that a war^{nt} should be made to the Officer of the Lottery <sup>Bona Noua a war-
fnt for paym^t of
2000^{li}</sup> for paym^t of 2000^{li}: to the Comittee for their better securitie for w^{ch} they are to accompt for the warrant beinge now putt to the Question was ratefied.

Magazine Tobacco
att iij^d pⁱⁱ fraught.

And wheras allso 3^d a pound for the fraught of the Magazine Tobacco was offered to m^r Wiseman if hee would touch att Virginia and take itt in m^r Th̄rer offered that for bearinge pt of the charge of this Ship if the Adventurers thought good they would vndertake itt att that price, w^{ch} the Adventurers p̄sent assented vnto beinge putt to the question.

5 Shares giuen to
m^r Iames Bagg

The Courte was enformed of m^r Iames Bagg of Plymouth who hath divers times taken great paines for the Company and layd out much monney as appeareth by his Accompts well approved by the Auditor^{re} and may herafter allso pleasure them in divers kindes and therfore to gratefie him hee maie have some land given him; Whervvpon itt was agreed to be putt to the question whether hee should have fower shares or five w^{ch} by erecōon of hands was ordered to be five.

Touchinge the
sute against m^r
Wye.

A Petiçon exhibited by m^r Wrote and m^r Berblock concerninge the Companies suite against m^r Wye being read was allowed agreeinge itt should be sealed by the Counsell^r Seale and signed by the Secretary.

mistake of a clause
in one of y^e stand-
inge Orders.

Wheras three standinge lawes were the last Courte presented to be read accordinge to order from the Comittee and Counsell, M^r Th̄rer signified that there was a mistake of a clause in one of them beinge a standinge Law allreadie enacted formerly as well and rather better then this Whervvpon this clause was agreed to be lefte oute.

Standinge Orders
to be putt in
printe.

Itt was agreed vpon the moçon of the last Courte that the standinge Orders shall presentlie be putt in printe and annexed to a booke newlie come out by order from the Counsell, w^{ch} booke shalbe given to everie one of the Courte this afternoone.¹

Southampton Pat-
tent

M^r Th̄rer signified that hee acquainted the last Courte of surrendringe Southampton Pattent and takinge a new one this day butt itt was not redie and therfore itt should be deferred till the next Quarter Courte. [131]

¹ This is the book cited on page 286.

Hee morouer reported that S^r Ferdinando Weynman adventuringe 100^{li}: wth the Lord Lawarr (besides the adventure of his pson) who dyed there and leavinge one only Childe behinde him a daughter; hee had receaved a fre: from the Ladie Lawarr that shee was content to deduct itt from her La^{ss}: accompts that itt might be assigned vnto her, w^{ch} the Courte well allowed referringe the rest vnto the Auditor^s: And have further agreed to allow vnto her for the adventure of his pson beinge a man of that worth 4 shares w^{ch} was confirmed by erec^{cion} of hands.

S^r Ferdi: Wenman
adventur 100^{li} al-
lowed vpon Acc^o:
to his daughter &
4 shares giuen
vnto her.

Frauncis Carter assigned 2 shares to m^r Tobye Palavicine w^{ch} was allowed by the Auditor^s and confirmed by the Courte.

2 shares to m^r
Toby Palaucine.

Iohn Gray vpon the like approba^{cion} assigned two shares to m^r Richard Baynam of London Goldsmith.

2 shares to m^r
Baynham.

A peti^{cion} was exhibited by the Executo^{rs} of m^r Christopher Lawne to have the fraught given them of such goods as are now returned beinge 800 weight of Tobacco; The Courte not houldinge itt requisite for president sake to allowe the fraught: butt in regard of the great charge and losse, the said m^r Lawne hath been putt vnto and susteyned in his pryvate Planta^{cion}, itt is agreed to allow him the passage of 2 men w^{ch} they esteeme to be xij^{li} and to discount the passage of her Childe w^{ch} is alleaged the Cape Marchant was payd for, Nottwth-standinge that itt dyed before itt was shipt.

Executo^{rs} of
Christo: Lawne al-
lowed for y^e pas-
sage of 2: men.

Certaine Articles beinge preferred by the Societie of Martin^e Hundred being read pt of them were allowed of and the rest aunswered.

Martin^e Hundred.

M^r Iohn Zouch his Pattent for a pticularr Planta^{cion} was now read and approved.

M^r Io: Zouch his
Patent

28TH IUNIJ 1620

A GREAT AND GENERALL QUARTER COURTE HELDE IN
THE AFTERNOONE AT M^R FERRAR^E HOUSE.

28th IUNIJ 1620:

PRESENT

y^e Right Honorable

Earle of Southamptō.
Earle of Dorsett.
Earle of Warwicke.
Earle of Deuonsheire.

Lord Cauendish.
Lord Sheffield.
Lord Pagett.

S ^r Edward Sackuill.	S ^r Nicho: Tufton.	S ^r Nath: Rich.
S ^r Edwin Sandys Th ^r er.	S ^r Thomas Roe.	S ^r Phillip Cary.
S ^r Tho: Smith.	S ^r Ferdinando Gorges.	S ^r Tho: Weynman.
S ^r Dudley Diggs.	S ^r Iohn Dauers.	S ^r Walter Earle.
	S ^r Antho: Aucher.	S ^r Iohn Wolstenholme.
		w th diuers others.

[132] M^r The^r signified that accordinge to the standinge Orders there had been a Courte kept in the morninge wherin diuers waightie matters had been discussed and resolved, butt the full Ratyfica^on of them was referred vnto this great assembly.

Great Charter Con- first the great Charter read in the last Quarter Courte was now againe
firmed read and by erec^on of hands confirmed and ordered to be sealed.

Char^t: for m^r Then the Charter for m^r Thorpe, m^r Nuse, the Deputies of the Col-
Thorpe C^r Con- ledge and Company and for the Secretary was read and confirmed
firmed. and allowed that the Seale should be affixed.

M^r Th̄rer propounded the names of such as by the morninge Courte were chosen of his Ma^{ties} Counsell here for Virginia, namely the Lord Haughton S^r Edward Sackfeild, m^r Samuell Wrote m^r Thomas Keightley, m^r Thomas Sheppard, m^r Robert Smith, D^r Winstone, and D^r Gulstone, who being againe seuerally putt to the question were by erreccon of hands confirmed.

8 new Councello^{rs} chosen & confirmed.

Then was there further chosen to be of his Ma^{ties}: Counsell for Virginia the Earle of Dorsett then present The Earle of Huntington, and m^r Doctor Anthony.

Earle of Dorsett, Earle of Huntington & D^r Anthony chosen to be of his Ma^{ties} Counsell.

And vpon the reporte of m^r Th̄rer of the many and great favours that the Earle of Huntington and Bath had this year done this Company in the procuringe of many fitt and vsefull psons sent to Virginia Itt was ordered that the Courtē especially thanks should be signified to them by letters.

Thanks ordered to begiuen to y^e Earle of Huntington & Bath.

Likewise the Councello^{rs} of Estate in Virginia propounded in the forenoone were againe by erreccon of hands confirmed, namely m^r Thorpe, m^r Nuce, m^r Tracy, m^r Pountus, m^r Middleton, m^r Bluett and to them was now added m^r Horwood the cheife of Martinē Hundred.

7 new Councello^{rs} of State in Virginia

The matters concerninge the Ship and Voyage now p̄sentlie intended were in the same manner as in the morninge ppounded and all ratefied and confirmed by erreccon of hands.

Touchinge y^e Shipp.

The five shares graunted by the Courte in the forenoone to m^r Iames Bagg Iunior were againe putt to the hands and confirmed wth many great thanks. [133]

5 Shares to m^r Iames Bagg Confirmed.

The Petiçons exhibited by m^r Wrote and m^r Berblock beinge read and approved in the forenoone was now confirmed.

The Petiçon by m^r Wrote C^r.

The printinge of the standinge Orders and anexinge them to the booke formerly ordered to be sett out beinge propounded in the Preparative Courte by m^r Robert Smith and well liked of by the mornings Courte was now fully ordered to be instantlie done.

Printinge of y^e standinge Orders.

S^r Fra: Weynman. The allowance of Land graunted to S^r Frauncis Weynmane was againe by ereccon of hands confirmed.

m^r Zouch Pattent sealed. The rest of the things that were ordered by the mornings Courte were againe propounded and confirmed, and the Seale affixed to the Pattent graunted to M^r Zouch.

Cap^t Argoll^e buisines lefte to y^e Courte to iudge and decyde. The Counsell findinge Cap^t Argolls buisines intollerable trouble some and vnderstandinge themselues to be vnduely ~~stayed~~ ||taxed|| refused to pceed any further therin butt to leave itt to the decydinge and iudginge of the Courte w^{ch} was by the generallytie accepted and ratified.

S^r Nath: Rich^e mo-
con. put of till a
fitter tyme. This done m^r Th^rer the second time surrendered his place, att w^{ch} time S^r Nathaniell Rich offeringe to move concerninge some asperçons laid vppon him in regard this was a great and Quarter Courte was answered that itt would be a fitter time when the new Treasurer was chosen.

Earle of South-
ampton^e report of
his p^rsenting their
desire to his Ma^y:
for the freeeleccon
of their Th^rer. The Earle of Southampton acquainted this Courte that himselfe wth the rest of the Lords and gentlemen requested thervnto by the last Quarter Courte had presented their humble desires vnto his Ma^{tie} for the free eleccon of their Treasurer whervnto his Ma^{tie}: had most graciously condiscented signyfyinge vnto them that it would be pleasinge to him they made choyce of such a one as might att all times and occasions have free accesse vnto his royall psonn. And further declaringe that itt was the mistakinge of the messenger haveinge not receaved his message imeadiately from his owne royall mouth to exclud them from the libertie of choosinge any butt the fower nominated ~~butt~~ whome his Ma^{ts}: intent was indeed to reco^mend butt not so as to barr the Comp^a: from the choyce of any other.

His Ma^{tie}: intend-
ed not to barr y^e
Comp^a: from their
free eleccon

The Comp^a: Whervppon the wholl Courte rendred to his Ma^{tie}: all humble thank^e and ordered that by writinge itt should be signified vnto his Ma^{tie}: [134]

Earle of South-
ampton nomi-
nated and chosen
The^r

Then m^r Herbert delivered vnto the Company that wheras by some distractions and discentions in the Company the buisines much suffered in the reputa^{con} and otherwise, they should now thinke vppon some Person of such worth and authoritie as might give full remedie

thervnto; w^{ch} since itt could not be pformed by the late Třer a man of that greate habillitie and sufficiencie together wth his industrie and integritie as of his ranke ther could not be found any to passe him, there was now lefte noe hope except itt might please some of those Honorable psonages then p̄sent to vouchsaffe to accept of the place, who by adiçon of Nobillitie might effect that w^{ch} others by meere habillytie could not doe.

W^{ch} moçon beinge exceedingly approved the whole Courte imeadiately wth much ioy and applause nominated the Earle of Southampton wth much earnestnes beseechinge his Lo^p: that for the redeeming of this Noble Plantaçon and Company from the ruines that seemed to hange ouer itt hee would vouchsaffe to accept of the place of Thřer.

W^{ch} itt pleased him after some finale pause in fine to doe in very noble manner out of the worthie love and affecçon that hee bare to the Plantaçon And the Courte in testimoniall of their bounden thankfulness and of the great honoure and respect they ought him, did resolve to surcease the ballatinge box and wthout nominaçon of any other by erecçon of hands his Lo^p: was chosen Třer and tooke his Oath. W^{ch} done his Lo^p: desyred the Comp^a: that they would all putt on the same myndes wth w^{ch} hee hadd accepted that place.

And the Courte further declared themselvs that itt was not their ^{a Dissensaçon} intent that his Lop: should be further bound to the pformance of the buisines of this Courte then his owne more waightie buisinesses did permitt.

ffor place of Deputie this Courte nominated m^r fferrar m^r Keightley ^{Mr Io: Ferrar cho-} and m^r Cranmer who beinge putt to the Ballatinge Box m^r Ferrar was ^{sen Deputy.} chosen by pluralitie of Balles: who tooke his Oth.

ffor Audito^{rs} were Chosen S^r Edwin Sandys, S^r Iohn Dauers, m^r ^{Auditors S^r Edwin} Wroth all three of the quorum, And S^r Edwin Sandys, who said that ^{Sandis S^r Iohn} though hee had been head hee would be contented to be the foote for ^{Dauers m^r Wroth} y^e benefitt of y^e Plantaçon was allowed to follow itt att large as his ^{m^r Ferrar m^r} owne buisines gave him leave The other 4: were m^r Ferrar, m^r ^{Keightley m^r} Briggs m^r Cran- ^{mer}

m^r Abbott, m^r Keightley, m^r Briggs and ~~M^r Wroth~~ And m^r Abbott, m^r Hamford, Hamford & m^r Abdy and m^r Abdy, whom S^r Thomas Smith the former yeare desyred to be Auditors for S^r Tho: Smith. admitted as ~~Adventurers~~ Audito^{rs} on his pte were continued againe takinge their Othes as the rest. [135]

The Co^mitte^e y^t were chosen are theise.
vizd

generali Co ^m itte ^e	m ^r Cranmer.	m ^r Bernard.	m ^r Bland.
	m ^r Berblock.	m ^r Boothbie.	m ^r Wiseman.
	m ^r Bull.	m ^r Nicho: Ferrar.	m ^r Chambers.
	m ^r George Smith.	m ^r Iones.	m ^r Wheatley.
	m ^r Caswell.	m ^r Clarke.	m ^r Darnelly.
	m ^r Mellinge.		

m^r Collingwood Secretary. M^r ffotherby the Secretary offered to give vpp his place in the due pformance wherof the Company pceivinge him to have been some-way faulty hee was discharged and m^r Collingwood recommended by my Lord of Warwick and S^r Iohn Dauers chosen in his place, And in regard that in a day of soe great ioy none should goe away greived the Courte Condiscended ouer and aboute the 5th due to M^r ffotherbie for his wages to bestow vppon him 10^{li}.

Husband & Beadle. M^r Webb was chosen Husband and m^r Carter Beadle.

S^r Ed: Sandis allowed his quietus est and to haue a testimoniall of y^e Companies thankfullnes and a pporcion of Land. S^r Edwin Sandys desyred his quietus est, his Accompt haveinge accordinge to order of Courte lien since the last Quarter Courte vppon the Table and no excepcons taken thervnto: w^{ch} the Courte not onely assented vnto butt further allso declared themselvs that itt should be referred to a select Co^mitte^e to give him a due testimoniall vnder y^e Companies Seale of his worthie service this last yeare performed as likewise by some pporcion of Land to testifie their greate thankfullnes vnto him.

Butt itt beinge past six of the Clock they thought itt fitt to defferr itt to the next Courte that itt might be more orderly pceeded in. [136]

Itt was likewise thought fitt in regard of the extraordinary paines of the Comittees the last year that the Company should shew their thankfullnes vnto them in the like kinde in bestowinge some portions of Land vppon them. Comittee to haue some proporcion of Land.

S^r Thomas Smith in this ~~last~~ Courte acquainted them wth a mistakeinge that a Petiçon exhibited vnto him by m^r Canninge should be sent to y^e King w^{ch} hee now p^rduced and offered to shew vnto the Courte. S^r Tho: Smith presented m^r Canings Petiçon

A COURTE HELD IN THE AFTERNOONE ATT m^r ffERRAR^e HOUSE
7 IULIJ 1620 THER BEINGE

PRESENT

the Right Honorable Earle of Southampton Th^rer.
Lord Cauendish.
Lord Pagett.

S ^r Edward Sackvill kn ^t .	m ^r Thomas Gibbes.	m ^r Deputy Ferrar.
S ^r Edwin Sandys k ^t .	m ^r Toby Palavicine.	m ^r Dauid Bennet.
S ^r Thomas Roe kn ^t .	m ^r Brooke.	m ^r Reignold ^e .
S ^r Iohn Dauers kn ^t .	m ^r Earle.	m ^r Tomlyn ^e .
S ^r Iohn Bourchein k ^t .	m ^r Herbert.	m ^r Keightley.
S ^r Phillipp Cary kn ^t .	m ^r Docter Gulstone.	m ^r Hanforde.
S ^r Thomas Wroth kn ^t .	m ^r Oxenbridge.	m ^r Stiles.

m^r Bull, m^r Scott, m^r Abdy, m^r Cranmer, m^r Shepheard, m^r Rugele, m^r Foxton, m^r Ed: Palavicine m^r Nicholas Ferrar, m^r Berblock m^r Edwards m^r Casewell, m^r Cartwright, m^r Challoner, m^r Widdowes, m^r Whitley, m^r Georg Smith, m^r Baynam, m^r Morewood, m^r Etheridge, m^r Barron, m^r Mellinge, m^r Woodall wth diuers others.

S^r Edwin Sandys signified vnto this Courte that hee had a Proiect of speciall importance w^{ch} hee much desyred before the Acts of y^e former Courtes were read to imparte vnto them, for that itt maynely concerned the better menaginge of their affaires in Virginia, and good advancement of the Plantaçon there. S^r Edwin Sandys Proiect for y^e better menaginng of y^e affaires in Virginia

For the Disbursemente { m^r Thomas Keightley.
m^r William Cranmer.

ffor other Accomptants who refuse or forbear to be ordered by the Audito^{rs} lett them accordinge to a former order of Courte be convented by the Counsell and ther the differences be ended and right done to y^e Comp^s: [138]

Touchinge the buisines concerninge Captaine Argoll w^{ch} divideth itt selfe into three partes. 1 Matter of State, 2 Depradaçon of the Publique wth other wrongs done to the Company. 3 oppression of the Collony wth wrongs to pticular psonns Lett each parte be comended to two choyce men who may make them fitt for hearinge against Alhalloutide next, So that the next Quarter Courte passinge a fynall sentence in the buisines of Captaine Argoll and perfectinge and concludinge all matters of Accompts, the returne of firme peace and vnitie may be expected.

For the matters of State	{ S ^r Iohn Dauers. m ^r Samuell Wrote. m ^r Edward Herbert.
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For Depradation of y ^e Publique.....	{ m ^r Herbert. m ^r Keightley. m ^r Wrote.
---	---

For oppression of y ^e Collony C ^r	{ S ^r Edwin Sandys. m ^r Iohn Ferrar. m ^r Iames Berblock.
---	---

The next principall matter is the reputaçon and Iustice of y^e Company in payinge there old Debts wherof there may be neer two thousand pound yett remayninge, I wish y^t after the dispatch of this Ship and of another Pinnace to be shortlie sett out the next imployment of monny may be in discharginge those Debts; And in the meane time that the Audito^{rs} wth assistance of all other Officers make a true examinaçon & Collecçon of those Debt^e and present the same to the Courte in the begininge of the next Tearme.

These matters and troubles in the way beinge thus cleered, itt fol- loweth to pceed in the advanceinge of the Plantaçon. The foundaçon wherof is the gettinge of monny^e beinge the Synews and moving Instrum^{ts} in these greate Actions.

1 flower wayes ther are of gettinge in monneys, The first & most certaine
is by the Lotteries w^{ch} must be continued till the end of this yeare, if
there may be found vlaces so many where to keepe them.

2 The Second is ~~the~~ by Debts due to the Company vppon subscripçons
wherof ther remaynes yett sixteen Thousand pounds. [139]

This yeare itt is to be hoped they wilbe chearfully paid especially if
there be good order in Solicitinge the parties, To w^{ch} end I wish that
a Collecçon be made of all those Debts remayninge to be divided after-
ward into three parts accordinge to the seuerall quallities of the psonns
indebted; The ffirste Noblemen, The second Knight^e and Gentlemen,
The third Marchants and other Cittizens—And that the Solicitinge
therof be Comitted to Three choyse payre of Gentlemen and Cittizens,
each suted to their fittest pts And those that are or shalbe in the Cittie
to be solicited in psonns the rest by Ires to be prepared by these
Solicito^{rs} and signed as heretofore by all the Audito^{rs} wherin allso this
discreçon is to be observed to begin wth the best Debts first and so to
the other.

	{ S ^r Edward Sackvill.
	{ S ^r Iohn Dauers.
For y ^e Lord ^e	{ S ^r Rob ^t Killigrew.
	{ S ^r Thomas Roe
	{ m ^r Brooke.
	{ S ^r Henry Rainsforde.
	{ m ^r Gibbes
For y ^e Knight ^e & Gentlemen	{ m ^r Berblocke.
	{ m ^r Wrote.
	{ S ^r Iohn Wolstenholme.
	{ m ^r Iohn Ferrar Dep ^t .
For Marchant ^e & Cittizen ^e	{ m ^r Richard Caswell.
	{ m ^r Daniell Darnelly.

3 The third way of getting in monny wilbe from the Accomptants of
which kinde of Debts I suppose ther will fall out much to be due, this
is in charge of the Auditors.

The fowerth kinde is the remayne of the monneys by Colleccons there 4
beinge yett nine Bishopps from whome nothings hath come in. There
must be some therfore appoynted for the soliciting of their Lo^{ps}.

For y^e Solicitinge of y^e Lord Bishopps.. { S^r Edward Sackvill.
S^r Dudley Diggs.
m^r Morice Abbott.

[140] Haveinge made these preparacons wee are in the next place ^{People}
to pceed to the imployinge of these monneys to the benefitt of the
Plantacon which is to be done in three kindes, ffirst in Supplies of
People. 2: In supplies of Cattle of all sorts, 3 and lastlie in pro-
visions for settinge vpp the best and richest Comodities.

ffor people I advise that this yeare there be sent att the publique
charge to Virginia 800 choyce psonns. vizard.

400 Tennants to the Companies Land to make them vp full five
hundred wherof 200: to be placed att Elizabeth Cittie with the
Deputy 100 att Henrico 100: att Charles Cittie, and att Iames
Cittie there are all redie 100:

100 Tennants to such officers C^r. as the Courte hath and shall
appoynt vizard. 10: to the Deputy of the Colledge, 40 to the Com-
panies Deputy 20 to the Secretary, 10 more besides 50 all redie
sent to the Mynisters and 20 to the Phisitian.

100 young maydes to make wives as the former 90 lately sent.

100 Boyes more for Apprentizes likewise to the publique
Tennants.

100 Servants to be dispsed amongst the Old Planters w^{ch} they
exceedinglie desire and will pay the Company their charges
wth verie greate thankes.

These people are to be procured as they have formerly beene ptlie by
a printed publicacon of the supplies intended together wth y^e Con-
dicons offered to these publique Tennants, partly by help of such
noble frends and others in remoter parts as have formerlie given great
assistance beinge desyred in the like kinde, This Ship now in pro-

viding being dispatched wth 120 Personns the rest may follow after in the very begininge of the Springe.¹

Cattle

Touchinge Cattle C^r these are requisite to be sent

100 Kine for this Addiçon of 500 Tenant^l.

100 Kine more to remayne in ppetuall Stocke vppon the Companies Land to be sent to new Planters as hath been formerly ordered.

400 Goat^l from Wales.

20 Mares.

80 Asses from Fraunce. [141]

The providinge of these and all things necessarie for them is to be referred to the care of the generall Comittees yett so that some be p^ticulerly appoynted to the seuerall parts and kindes.

For y ^e Kine Goat ^l and Mares.....	{ m ^r Iames Bagg. m ^r Richard Wiseman. m ^r Iohn Blande.
For y ^e Asses	{ m ^r Abraham Chamberlyn. m ^r George Chambers. m ^r Iames Bagg.

Prouisions necessarie for y^e settinge Vpp of y^e
Staple Commodities are these.

Comodities.

ffor Silke to pcure great store of Silkworme seed aboute Michaellmas next and men skillfull in the orderinge of the Wormes and their Silke to be sent away in a Pinnace in October betimes.

ffor Oyle besides great quantities to be made out of their great store of Wallnut^l Olive plants may be allso pcured from Mercellis and Ligorne.

ffor Wynes to procure men skillfull in the plantinge and dressing of Vynes outt of ffraunce and from the Rhene, from thence allso to pcure plants as likewise from the Canaries.

¹This publication was included in the Declaration of June 22, 1620. List of Records, No. 183, page 141, *ante*.

ffor Hemp and Flax, Sope Ashes, and Pottashes Pittch and Tarr to pceed in the treaty wth m^r Moore who hath offered to p^cure men skillfull in those Trades from the Easterne parts.

ffor Fishinge first to sett vpp m^r Pountus againe by making vpp a Stock of 1000^{li} wherof the one halfe to be from those former Adventurers a fourth from the Comp^a: and a fourth from the Southampton Hundred.

Secondlie by generall peti^{ti}on vnto his Ma^{tie}: to preserve the ffishinge att Cape Codd free & indifferent to both the Collonies as was intended in y^e first Pattent.

ffor Salt if men skillfull in makinge itt in Pitts and by the Sunn be not to be had att home to p^cure them from ffraunce and by all meanes to sett forward the makinge of itt in aboundance beinge a very great help to encrease the Planta^{ti}on.

ffor Iron theris sufficient done allredie. [142]

And for Sawinge Mill^e besides those allredie gone this Springe there Sawinge Mill^e. are lately com from Hamburrough fower men very skillfull to be sent in the next Ship.

Itt is verie necessarie for the benefitt of the Collony that divers skillfull Millwrights be provided and sent to sett vpp Corne watermill^e in the seuerall parts of the Collony. Mill Wright^e

Itt is also convenyent that the Deputie for the Company have a Pin- Deputy is allowed a Pinnace for trade and traffique. nace and other Boats belonginge to him to traffique and trade for the Company and their Tenants vnder his charge.

ffor these Staple Comodities besides the generall Comittees who are to take charge of the wholl some seuerall parts are to be Comended to divers p^ticularr psons.

for The Silkworme seed Oliue Plant ^e	{	m ^r Abr: Chamberlin.
and Vines		

For Salte men	{	m ^r Arthur Bromfeild.

Gouernment

The last matter butt of great difficultie and cheife importance is the establishinge of good gouernment in the Collony for Religion, Iustice and Strength together wth their effect℄, Peace, Plenty and Prosperitie.

This parte requireth the serious consultaçon of the Counsell & the great labour of learned and iuditious Comittees that being reduced into a bodie of Lawes and Magestracie itt may be first p̄sented to his Ma^{ties}: vewe and beinge there approved may receave confirmaçon allso of a Quarter Courte, and lastly the assent and ratificaçon of the Collony.

Some small dyrecçons herin I wilbe bould to offer, I wish that a Committee be made of twelue select psonns for the Compylinge into a bodie the Politique Lawes and Magistracie of England—necessarie or fitt for that Plantaçon w^{ch} pt to be comitted to fower learned gentlemen professors of the Lawe. [143]

Constituçon for y^e
generall Gouvern^t.

The Second to be a like collecçon of Orders and constituçons allredie in beinge w^{ch} are prop and peculier to this Collony. Wherin first to gather those that are to be found in his M^{ties} Ieres Pattent℄ and Instrucçons. Secondlie those that are conteyned aswell in the Booke of the orders for the Company as allso in the seuerall Charters, Comissions, and Instrucçons, sent to Virginia. Lastly such orders as themselvs there have made in their generall Assemblies All w^{ch} beinge likewise desgested into order and conferred and interlaced wth the laws of this Realme itt will be redie easie to see in a veiwe of the wholl Body what Lymme or Synewe is redundant or defective as well for Lawes as Magestracie wherof a reformaçon or a supply to be made agreeable to y^e rest This parte is to be commended to fower other such as are skillfull in all the affayres aswell of the Company here as of the Collony in Virginia, And thus much for matter of the Generall Govern^t.

Perticular Gouvern^t
of each Cittie.

A Thirde parte remayneth of the pticularr Gouvern^t by way of Incorporaçon for every Cittie and Burrough w^{ch} I wish may be for all of one and the same modell vniformitie beinge not onely a nourisher

of Amytie butt allso a greate ease to the Generall Gouverment. ||This pte is to be comitted to fower Comittees expert in the gouernment|| of the Corporaçon of this and other Citties of this Realme to frame out of them a forme moste fitt for y^t people.

These pticuler Comittees haveinge brought their laboures to an end they are then to meete and out of these pts to make an wholl entire bodie of Lawes and Magistracie for that Gouverm^t. to be presented by them to the Counsell and being ther reformed or allowed to pass on to the gracious veiwe of his Ma^{tie}: Counsell to peruse the said Lawes.

And here I wilbe bould to putt the Councell in mynde of one principall parte of their dutie and Oath to have care by wise and pollitique constituçons to hold the Collony in assurednes of firme and ppetuall loyalltie to his Ma^{tie}, and this Crowne, w^{ch} Cautian in regard of the farr distance of that place I hold to be necessarie. [144] Lawes to hold y^e Collony in obedience to his Ma^{tie}

ffor matters of Religion I thinke itt requisite that the Comp^a: desire Religion direcçon from the Lord Archbishops grace and the Lord Bishop of London they beinge both of the Company and my Lord of London of the Counsell allso.

ffor matter of strength by way of ffortificaçon I referr to y^e treatie wth m^r Englebert. Fortification.

The Millitarie discipline requires a Committee by itt selfe of men most iudicious in that profession. Military discipline

These things pformed the Plantaçon I nothingse doubt will prosper and our selves give good Accompt of our pceedings to his M^{atie}:

For y ^e Lawes of England	{	S ^r Thomas Roe.
		m ^r Christo: Brooke.
		m ^r ¹ Seldon.
		m ^r Edw: Herbert.
		m ^r Phillip Iermyn.

Blank space in the manuscript.

For y ^e Orders for Virginia	S ^r Edwin Sandys.
	S ^r Iohn Dauers.
	m ^r Iohn Wroth.
	m ^r Sam: Wrote.
For y ^e Perticular Corpora.....	m ^r Rob ^{tt} Heath Recorder.
	m ^r Rob ^{tt} Smith.
	m ^r Nicho: Ferrar.
	m ^r William Cranmer.
For Military Discipline	m ^r George Chambers.
	S ^r Edw: Sackvill.
	S ^r Dudley Diggs.
	Cap ^t : Bingham.
	Cap ^t Lawrence Maisteron.
	Cap ^t Iohn Bargaue. [145]

The charges of this Proiect are estimated thus.

500· Tenant ^e att 16 ^{li} : the personn.....	8000 ^{li}
300· Maides, Boyes and Servants	2000 ^{li}
200· Kine att 10 ^{li} the head.....	2000 ^{li}
400· Goates att 3 ^{li} 10 ^s the Goate.....	1400 ^{li}
020· Mares att 15 ^{li} a peec.....	0300 ^{li}
080· Asses att 7 ^{li} 10 ^s a peec	0600 ^{li}
A Pinnace.....	0250 ^{li}
Settinge vp the fishinge of m ^r Pountus	0250 ^{li}
Procuringe of Vigneroones, Saltmen, for Silkwormes, for Flax, for Hempe, Pottashes, and Sopeashes w th plantes & all Materialle	1000 ^{li}
Discharging y ^e olde Debt ^e yet remayninge of S ^r Thomas Smith ^e time	
Totallie.....	17800 ^{li}

Meanes of raysinge this sum, as may be reasonably estimated.

By Lottaries.....	8000 ^{li}
By Debtē vppon subscrip̃con one third parte.....	5300 ^{li}
By Collectionē for y ^e Colledge.....	0700 ^{li}
By Debtē Vppon Accomptē and Reckoningē.....	4000 ^{li}
	18000 ^{li}

Memorandum that in the Auditinge of S^r Thomas Smiths Accompt^{ts} it was Offered by the Audito^{rs} that such Difficulties and errors as should occur, they would from time to time impart to the Audito^{rs} chosen by S^r Thomas Smith and if by their help y^e points might be cleared they would rest so sattisfied: if otherwise accordinge to the generall orders they would bring them to the Courte from thence to receive resolucon and ~~sattisfaccōn~~ ||direction||. [146]

difficulties or errors in S^r Tho: Smiths Accomptē are to be imparted to y^e Audito^{rs} chosen for him.

In handlinge of these buisnesses S^r Thomas Wroth verie vnseasonable (as was thought by the Courte) interposed some matters of question aboute y^e settinge downe of this proceedings in discontentinge from the whole Courte aboute the acquitinge of Captaine Brewster w^{ch} was iustified by S^r Edward Sackvill now trulie sett downe haveinge beene form^{ly} mispenned by S^r Thomas Wroth and the former Secretarie. In fine y^e Court deliue^ded their opinion that S^r Edward Sackuill and m^r Deputie had sett itt downe verie truly and that S^r Thomas Wroth was in the wronge & deserved blame.

S^r Tho: Wroth exceptiōē against y^e opening of y^e Order by S^r Edward Sackvill C^r

A fre was presented to the Courte from the La: De Laware signifying that Cap^t Argoll had wrongfully taken away certaine of her goods from her late Husbands servants in Virginia for w^{ch} hee hath as yett given no Accompt; whervppon the Courte thought fitt to consider therof and to warne the said Cap^t Argoll to the Court vppon Wednesday next.

A fre from y^e La: Lawar against Cap^t Argoll for detey: her seruante goodē.

S^r Iohn Dauers, and S^r Thomas Roe are appoynted Comittees to drawe a generall fre to his Ma^{tie}: to preserve the ffishinge at Cape Codd free and indifferent to both the Collonies as was intended in the first Pattent and beinge drawne to present the same att the next Courte vppon Wednesday.

Comittee for drawing y^e generall fre to his Ma^{tie} concerning a free fishing at Cape Codd.

Comitteefordraw-
inge a Petiçon to
his Ma^{tie}: concern-
ing y^e Proclama-
cion C^r.

Itt was likewise then desyred that itt would please my Lord: Cauen-
dish & S^r Iohn Dauers to draw an other generall Petiçon vnto his
Ma^{tie} concerninge the late Proclamation against the generall & vnlym-
ited importacon of Tobacco C^r. w^{ch} the Courte conceaved would tend
to the vtter ouerthrow and destrucōn of both Plantations.¹

warfnt to take in
prouisions and cer-
taine Peeces of
ordinance.

2 Comission^t for
Shippes

A moçon was made by petiçon that the Comp^a: would please to
graunt vnto the petiçoners now bound for Virginia that they may have
a warrant to take in provision and certaine peeces of Ordinance fitt
and necessary for a Plantacon as likewise two Comissions for the
Maisters and Owners of the Ships such as in like case is vsually
graunted by the Company, w^{ch} was generally condiscended vnto wth
order that the Seale should be thervnto affixed. [147]

Somerscales Pat-
tent.

The Courte was pleased vppon request to appoynt these Comittees for
drawinge of M^r Somerscales Pattent vizd. S^r Iohn Dauers. M^r Herbert
M^r Deputy Ferrar, M^r Gibbes.

Patent for S^r Tho:
Weynman.

A moçon was made likewise for a Pattent to be graunted to S^r Thomas
Weynman and his Associates to plant in Virginia.

Pattent for S^r W^m:
Mounson.

S^r Iohn Dauers moved that the Courte would please to give order for
drawinge a Pattent for S^r William Mounson and his Associates that
they may have for Seaven years the sole benefitt and transportacon
of two such new Comodities as they shall discouer plant or finde out
in Virginia not being yett discouered planted or found outt by any
other for w^{ch} they offered to pay one Hundred pounds p Annū and
to plante twenty five men every year duringe y^e said Tearme And
moved further likewise that six of the Pattentees in regarde of the
great charge they must be att for this discouery might be free of the
Company.

6. of y^e Pattentees
to be free of y^e
Company.

The Courte haveinge duely considered of the premises did generallie
condissend thervnto, and gave order that the Pattent should be
drawne accordinglie, Provided thatt the names of the Six Pattentees
that are desired to be made free as aforesaid be first made knowne

¹ The petition and the Order in Council allowing a sole importation of tobacco appear in the Privy
Council records of April 5 and 10. A printed proclamation for the restraint of the disordered trading
for tobacco was issued June 29. List of Records, Nos. 167, 168, 184, 185, pages 139 and 141, *ante*.

vnto y^e Courte and allowed: Provided allso that there be an excep-
tion in the Pattent of all Mynes there and a restraunte that they
intermeddle not with any Lands allredy possessed.

My Lord of Southampton delivered certaine petiçons vnto m^r Deputy Peticon^e referrd.
Ferrar to be consydered of by the Comittees. [148]

12 IULIJ 1620

ATT A GENERALL COURTE HELDE IN THE AFTERNOONE
FOR VIRGINIA THE 12TH IULIJ 1620

PRESENT

the Right Hono^{rs}:

Earle of Southampton Trer.

Lord Cauendish.

Lord Sheffeilde.

Lord Haughton.

S^r Edward Sackvill.

S^r Thomas Roe.

S^r Edwin Sandys.

S^r Iohn Dauers.

S^r Robert Killigrew.

S^r Phillip Carey.

Docter Meddow^e.

Thomas Gibbes.

X^o: Brooke esqre.

m^r Io: Ferrar Dep^{ty}.

m^r Samuell Wrote.

D^r Anthony.

Peter Humble.

W^m Oxenbridge.

Captaine Argoll.

m^r Abbott.

m^r Hanforde.

m^r Challoner.

m^r Wrothsbie.

m^r Ayscough.

m^r Cartwright.

m^r Nicho: Ferrar.

m^r Whitley.

m^r Foxton.

m^r Pett.

m^r Bull.

m^r Chambers.

m^r Palmer.

m^r Caswell.

m^r Swinhowe.

m^r Widdowes.

m^r Couell.

m^r Berblock.

m^r Wiseman.

m^r Boothby.

m^r Cranmer.

m^r Tomkin^e.

m^r Edward^e.

m^r Gardner.

m^r Woodall.

m^r Benson.

m^r Mellinge.

m^r Cuffe.

m^r Arundell

wth diuers others.

My Lo: of South-
ampton. S^r Edwin Sandys signified vnto the Courte that hee had received notice that my Lord of Southampton was vppon some speciall occasion wth the Lords of the Councell and could not be present heere till three of the Clock whervppon itt was agreed that the petiçons exhibited vnto this Courte should in the meane time be read and considered of and accordinglie receive ~~all~~ their answer.

Thomas Selsby to
returne for Eng-
land. Vppon the humble Petiçon of Iohn¹ Selsby that her husband Thomas now in Virginia might returne wth the firstpassage for England, who went ouer wth Captaine Lawne as a voluntary att his owne charge haveinge here a wife and 4 Children in great distress for want of means vppon whome his ffather a verie aged man will bestowe some thinge att his returne, the Court is pleased to graunt her request for her said husbands returne home.

m^r Peirce his peti-
çon referd to y^e
Audito^{rs} Touchinge m^r Peirce his petiçon for two hundred pound of y^e Com-
panie formerly ordered to be paide to m^r Rolfe to his vse as by the bill of [149] Exchange vnder the Cape Marchant^e hand may appeare w^{ch} monny is not yett paid as hee affirmeth, The Courte therfore hath referred the further examinaçon of his said petiçon vnto the Audito^{rs} who are to certifie the truth therof vnto the Courte.

Luke Burden to
com for England Vppon the request of Captaine Warde for the returne of Luke Burden into England now deteyned in Virginia for takinge a way certaine goods from the Indians there The Courte was pleased to order that a letter should be write to S^r George Yeardley Gouvernor of Virginia to pmitt the said Luke Burden to come ouer if hee be onely deteyned for that ffact (and no other) wth w^{ch} Cap^t Warde stood himselfe charged and was by fauore acquitted.

Planters to take
the Oath of Alle-
giance A moçon was made w^{ch} was generally agreed vnto that those that go ouer to Virginia as Planters should first take the Oath of lligiance to be administred vnto them by some cheife Magestrate there where they shall embarke themselvs who by letter from hence should receive direcçon to administer the same and to returne their names to be entred here in a Register Booke for that purpose to be kept.

¹ This word was originally written John, and an *a* is written over the *o*.

M^r Ayskough acquainted the Courte that hee had himselfe paid into S^r Thomas Smith att two seuerall payments 75^{li} in monny as by his bills thei^rof appeared butt hee found that hee was entred 12^{li}:10^s:00 short of y^e said some for w^{ch} hee now craved allowance, whervpon the Court ordered that itt should be referd to the examina^on of the Audito^{rs} to certefie therof.

m^r Ayskough referred to y^e Auditors.

Thomas Kiddar of London Sheremaker in his peti^on desyred that his sonne Thomas might returne for England (beinge the Apprentice of one Ienkinson of London Haberdasher for vij years as by his Indenture enrolled may appeare vnto whome his said ffather gave his bound for his trueth and abode with him wherof hee nowe stands in daunger his said Sonne beinge entysed away by one Edward Cross to goe ouer with him to Virginia where hee enhabited) the Courte here vpon ordered that the Peti^on be referred to the Comittees vizd m^r Casewell, and m^r Berblock who are appoynted to examine the same and to certifie therof accordinglie. [150]

Tho: Kiddar his peti^on referred to y^e Comittees

Elizabeth Smale Widdowe in her peti^on desyred that the Company would please to take into their hands the dividend allotted vnto her Husband in Virginia in considera^on of his Eleaven years service thervnto the Company that they would bestowe vpon her some monney to discharge the Debt beinge 15^{li} vnto a Chirvrgion vnder whose hands shee hath continued ever since her cominge ouer, And further craveth a stipend for her better mayntenance duringe her life, The Courte heer vpon ordered that shee should addresse herselfe to Captaine Argoll to examine the truth of her said peti^on and to certifie therof accordinglie.

Eliza: Smale to address herselfe to Cap^t Argoll.

Thomas Wale Mercer in his peti^on sheweth that wheras hee hadd engaged himselfe to pay butt 25^{li} Adventure towards a Second ffishinge Voyadge vpon the North Coast of Virginia hee informeth that m^r Spruson and m^r Webb (who is now dead) and through their incessant imptunytie vniustly drawne from him att two seuerall payments 75^{li} more then his said Adventure w^{ch} made itt vpp one hundred pretendinge that hee had subscribed for payment of so much; Whervp-

Tho: Wale Mercer

Mr Spruson to
bringe in his Ac-
compt^l. pon the Court ordered that ¹Spruson who is yett liveinge should
after a fortnights lawefull warninge given him bring in his Accompts
to the Courte to be audited, and in defect of a Courte to the Deputy
and generall Comittees.

100^{li} to be paide to Elizabeth Barkly in her Petiçon desyred of the Comp^a: 100^{li} in pt of
Elizabeth Barkley payment of a greater Some due vnto her Husband and that they would
give order to the Audito^{rs} to hasten the examininge of her Accompts.
Whervvpon the Court condiscended to pay her 100^{li} assoone as mon-
neys came in provided that shee give securitie to repay the same
againē if vppon the Auditinge of her Accompt^l itt were found not to
be due vnto her.

Iohn Wood recom- Iohn Wood in his Petiçon desyred that the Courte would please in
ended to y^e Gou- regard hee is resolved to inhabite in Virginia, to graunt him 8 Shares
ernor & Counsell in Elizabeth Riuer, for 8 Shares of Land formerly graunted vnto him,
of Virginia because theron is Timber fittinge for his [151] turne, and water
sufficient to Launch such Ships as shalbe there built for the vse and
service of the Company; The Courte herevppon hath ordered and
agreed to recomend the consideraçon of the premises vnto the Gou-
ernor and Counsell of Virginia to deale therin as they shall thinke fitt.

Tho: Moreman^e Thomas Moreman signified in his Petiçon that hee went to Virginia
petiçon graunted. in a Ship called the Bona Noua in the yeare 1619 in the Companies
service wherin hee still remayneth vnder the Comaund of Captaine
Mathew^e. Butt for so much as hee hath now sattisfied the Company
the charge they have been att in placeinge him there as their Ten-
nant, hee desyreth his freedome and withall that proporcion of Land
as is vsually allotted to others in the like kinde w^{ch} ~~the~~ request the
Courte thought verie reasonable and did generally assent therevnto.

y^e Lord of South- My Lord of Southampton beinge now com to the Courte declared that
ampton Com to his absence and long stay was aboute buisines of y^e Companies and
Courte that hee had receaved a gracious answeere from his Ma^{tie}: concerninge
a gracious aun- their petiçon against the restraint of Tobacco who was pleased to
swere received affirme that itt was never his meaninge to graunt any thinge that
from his Ma^{ty}: con- might be preiudicall to any of both those Plantaçons and therefore
cerninge y^e re-
straint of Tobacco.

¹A blank space in the manuscript.

had referred itt to the Consideraçon of the Lords of the Counsell, wth whome my Lord of Southampton saide hee had beene all that while, and that their Lo^{ps}: desyred that certaine of the Company might attend the hearinge of the cause vppon fryday next in the afternoone. w^{ch} the Court generally assented vnto.

After the Acte of the former Court^e were read Captaine Argoll took occasion to except against some certaine words of an order touchinge him att the last Quarter Courte held in the Afternoone, alledging that hee did never vnduely taxe the Company as that order did declare. Whervppon the Courte evidentlie made itt appear vnto him y^t hee was in an error, and thervppon did iustifie the said order to be truly sett downe. [152]

Vppon Cap^t Argoll^e request the Courte was pleased to give order vnto the Secretary to deliver him Coppies of Orders concerninge him- selfe and Captaine Brewster.

Cap^t Argoll iustified to be in an Error

Cap^t Argoll to haue Coppies of Orders concerninge himself & Cap^t Brewster

Itt was vppon moçon ordered and by erecçon of hands generally assented vnto that the Courte in respect of many buisnesses y^t were to be dispatched should be continued till all matters were determyned.

The Courte continued

These Comittees beinge chosen the last Quarter Courte butt not sworne did now take their Oath, vizd, m^r Bland, m^r Wiseman, m^r Whitley, m^r Clerke; And the Secretary in like manner being then chosen did allso now take his Oath.

Comittees sworne.

Secre: sworne.

M^r Robert Somerscall^e Proiect concerninge the curinge and ordering of Tobacco beinge now putt to the question whether itt would please the Company to allowe therof, and to giue order for drawing his Patent was generally approved and by erecçon of hands ratified and confirmed.

M^r Somerscall^e Proiect allowed.

Concerninge the Proiect for makinge of Drinck in Virginia being an artificall wine made of vegetable growinge there naturally in great plenty Itt is referred to these Comittees to consider therof vizd. S^r John Dauers, M^r Docter Anthony M^r Docter Gulstone M^r Deputy, M^r Smith, Captaine Bargaue M^r Darnelly, M^r Whitley, who are to

The Proiect for makinge of Drinck in Virginia referred to the Comittees.

make reporte of their opynions herein and to compound wth the Author as they shall thinke fitt.¹

Comission to m^r Tracey Vppon a mo^oon made order was given for the graunt of a Comission to m^r Tracey and that the Seale should be there vnto applyed.²

Another for y^e Bona Noua. Another likewise to the M^r of the Bona Noua.

S^r W^m Mounson n.: Another allso to S^r William Mounson and his Associates.

A Pattent to m^r Pelham Itt was allso agreed that accordinge to a mo^oon made a Pattent should be graunted to m^r Pelham and his Associates for Transporting & plantinge of a Collony in Virginia. [153]

my Lo: of South- These matters beinge ordered as aforesaid my Lord of Southampton request to y^e Company to goe on cherfully C^r. These matters beinge ordered as aforesaid my Lord of Southampton desyred the Company that they will now wth the same alacritie & cheerfullnes of mynde as they should ever finde in him goe on to the dispatch of those waightie buisnesses co^mitted to their care and charge, w^{ch} for expedi^on sake were divided into parts and comended to seuerall Co^mittees here vppon the appoynted Co^mittees promised with all care and dilligence to expedite the same accordinglie, his Lo^p: desyred further that a speciall Comittee might be desyred to attend the LL^s of his Ma^{ty}: Counsell vppon ffryday next about the Peti^on referred by his Ma^{ty}: vnto their H^{ys}: concerninge the restraint of Tobacco whervppon these Comittees were n^oiated vizd

S ^r Edward Sackuill.	m ^r Deputy.	m ^r Nicholas Ferrar.
S ^r Edwin Sandys.	m ^r Gibbes.	m ^r Cartwright.
S ^r Iohn Dauers.	m ^r Wrote.	m ^r Ditchfeild.
S ^r Phillip Cary.	m ^r Cranmer.	m ^r Casewell, &
m ^r Brooke.		m ^r Berblock.

Who are all appoynted to meet for a Consulta^on att S^r Iohn Dauers house vppon ffryday next halfe an hower after twelue. And are then & there allso to consider of the peti^on concerninge the ffishinge att Cape Codd to be exhibited likewise to the LL^s.

¹ A discussion of this project is given in List of Records, No. 186, page 141, *ante*.

² This commission is cited in List of Records, No. 189, page 142, *ante*.

AN EXTRAORDINARY COURTE HELDE 18TH IULIJ
1620 THER BEINGE

PRESENT.

The Right Honorable Earle of Southampton.

S^r Edwin Sandys.

S^r Iohn Dauers.

m ^r Gibbes.	m ^r Cranmer.	m ^r Tomkinē.
m ^r Dep ^t Ferrar.	m ^r Darnelly.	m ^r Wellē.
m ^r Wrote.	m ^r Whitley.	m ^r Swinhowe.
m ^r D ^r Anthony.	m ^r Ditchfeild.	m ^r Leuer.
m ^r Robert Smith.	m ^r Casewell.	m ^r Couell.
m ^r Sheppard.	m ^r Berblock.	m ^r Felgate.
Cap ^t Bargraue.	m ^r Hopton.	m ^r Barnard.
m ^r Iohn Smith.	m ^r Ruggle.	m ^r Widdowes.
Cap ^t Nuce.	m ^r Couell.	m ^r Ab: Chamberlyn.
m ^r Chambers.	m ^r Abdy.	m ^r Sywarde.
	m ^r Aires.	m ^r Mellinge.
	m ^r Nicho: Ferrar.	m ^r Poulson.
	m ^r Wiseman.	m ^r Morewood.

m^r Baynam.
m^r Penistone.
m^r Vyner.
m^r George Smith.
m^r Woodall.
m^r Ewins.
m^r Sparrow.
m^r Robertē
and m^r Arundell. [154]

The Courte takinge into Consideraçon the treatie w^h the vndertakers
for the sole sellinge of Tobacco fyndinge the proporçon for Virginia to

The sole sellinge
of Tobacco.

y^e 55000 waight to
be appropriated
only to y^e So:
Ilande Company

be so small as not possible to be divided amongst such a multitude of people wth any shadow of Content, and considering that the Somer Ilands haveinge no meanes to subsiste butt meerly by the vent of their Tobacco will stand in need of all help w^{ch} in that kinde may be given them have consented that the wholl 55000 waight of Tobacco allowed to be vented in this Realme by both the Plantaçons shalbe appropriated to that of the Somer Ilands alone, And themselvs shall humbly submitt themselvs to his Ma^{ties}: royall pleasure declared in his last Proclamā and forbear to bringe any Tobacco att all this yeare nothinge doubtinge butt his Ma^{ty}: in his Princely Consideraçon will Comisserate y^e Estate of the poore people in that Plantaçon and restore them to their liberty when hee shall see time convenyent, In the mean season ptestinge against the Vndertakers of this late Proiect tendinge not onely to the hurt butt allso to the vtter ruyne of both the Plantaçons.

A Comitte to con-
sider of y^e fittest
course for a Maga-
zine or Storehouse
att fflushing C^r.

The Courte beinge resolved as aforesaid to forbear the bringinge into England any Tobacco from Virginia this yeare butt to send the same to fflushing, Middlebrough or any other parts to be vented there did appoynt these Comittees here vndernamed to consult and resolute of the fittest Course to be taken for providinge of a Magazine or Storehouse there, and to treat wth the States ther by letters for the bringinge in and carryinge outt of the Tobacco att the easiest rates. And to consider of the best meanes allso for the orderinge and Sale therof by ffacto^{rs} to the moste advantage of the Company, viz^d: all the generall Comittees assisted wth S^r Iohn Dauers, M^r Wrote, M^r Gibbes, M^r Berblock, M^r Chamberlyne, M^r Cranmer, M^r Sheppard, M^r Wiseman M^r Deputy, M^r Smith, M^r Chambers, M^r Clarke, M^r Nicho: Ferrar M^r Casewell, M^r Mellinge.

Comittees to at-
tend y^e Lo: Arch-
bishop of Cant.

These Comittees are appoynted to attend the Lord Arch Bishope of Caunterburie wth the Declaraçon of the Supplies intended to be sent to Virginia this year C^r, and shew the amendment there vpon submittinge the consideraçon therof vnto his Grace to dyrect what hee shall thinke to leave outt or putt in, And wthall to move his grace that the Booke now phibited by his gracious Comaundem^t may againe

passee abrode and be published, vizd m^r Gibbs, m^r Deputy, m^r Berblock and Captaine Bargaue. [155]

M^r Doctor Anthony haveinge brought two bills of Adventure of xij^{li} x^s 2 bills passed to a peece, the ffirst from Ambros Austin of High Holborne the other ^{Dr Anthony} from Ioane Dawkes widow both vnder the Companies Seale and allowed of vnder the Auditor^s hands beinge now desyrus to have them passe the approbacon of this Courte was accordingly graunted and confirmed.

M^r Edward Kirbie who went to Virginia in the Bona Noua in Iune last wth an intent their to plant att his owne charge where hee hath already lefte a Ser^vnt whose passage hee paid for, ||as by|| a certificate appears & beinge returned wth a purpose to transporte more people thither was now allowed to be ffree of this Company and order given to m^r Deputy to certifie so much to the ffermer of the Custome. ^{M^r Edward Kirbie allowed to be made ffree.}

Itt was moved and generally assented vnto that a fre should be drawne to the Gouvernor and Counsell for Virginia signifyinge the graunt of a Pattent vnto S^r William Mounson and his Associates accordinge to an order of a former Courte w^{ch} fre beinge so drawne itt was referred to S^r Iohn Dauers and m^r Deputy to mend and make itt agreeable to the said Order of Courte. ^{A fre: to be written to y^e Gouvernor to signifie of a Patent graunted to S^r W^m: Mounson.}

Concerninge M^r Wye his peti^{con} although the Courte had iust cause to reiect the same in regard hee had wronged the Company in the verie title therof by tearminge this soe worthie a Societie and Corporacon no better then Traders to Virginia, and grounded his Peti^{con} likewise vppon vntruthes in denyinge any Comission to be graunted vnto him or that hee hadd done the Company any Damadge w^{ch} was apparantlie approved against him yett if the said Wye would acknowledge his grosse error in y^e direc^{con} of his said Peti^{con} and amend the same, and withall submitt himselfe to the awarde and sentence of the Courte concerninge the differences between him and the Company, and concerninge the sute betweene him and m^r Deputy the Courte ^{yf m^r Wye will acknowledge his error in his Peti^{con} and submitt himselfe to y^e award of y^e Courte it shalbe allowed.}

would then allow of his Petiçon and take itt into their consideraçon otherwise did vtterly reiect the same.

reporte of m^r
Woodalle Scandall
of y^e printed
Booke

Reporte beinge made vnto this Courte that m^r Woodall had scandalized the booke lately sett out by his Ma^{ty}: Councell for Virginia by a most disgracefull Tearme in callyng itt a lybell wth w^{ch} hee being charged sought by a rediculous interpretaçon of that word accordinge to the sense itt bears in Latin in some sorte to extenuate and excuse. [156]

A fowle aspersion
cast by m^r Wood-
all vppon S^r Ed:
Sandys
The examinaçon
of both his scan-
dalls to be referred
to y^e next Quarter
Courte

Butt for that itt was further allso laide to his charge that hee had impudentlie cast a foule asperçon vppon S^r Edwin Sandys Knight in sayinge hee did butt vsurpe the Authoritie of the Courte; The Company were herewith exceedingly moved and here vppon did forthwth order ||that|| the examinaçon of both his disgracefull Scandalls should be referred to the censure of the next Quarter Courte And in the meane time hee should remayne suspended from the Courts.

M^r Paulson j bill
to m^r Andrewes 1
to m^r Greene.

M^r Paulson assigned 2 bills of Adventure one to m^r Andrewes the other to m^r Greene.

Right ordered to
bedone to Mathew
Seizemore.

Mathew Seizemore haveinge desyred the Courte to doe her right for that shee had payd for her passage and yett was att the charge of victuallinge herselfe The Courte ordered that right should be done her accordinglie as itt had been to others in the like case.

Io: Grocer to re-
turne for England

Iohn Grocer and Susan his wife peticoned that their sonne Iohn might returne for England w^{ch} was graunted and subscribed vnto by y^e Earle of Southampton.

ATT A COURTE HELDE Y^R 4TH OF NOUEMBER 1620

PRESENT

y^e Right Honorable

Earle of Southampton.

Lord Cauendish.

S^r Thomas Roe.

S^r Willia Fleetwood.

S^r Ferdinando Gorges.

S^r Edward Lawley.

S^r Edwin Sandys.

S^r Iohn Dauers.

S^r Robert Killigrew.

S^r Io: Wolstenholme.

m ^r Gibbes.	m ^r Barbor.	m ^r Casewell.	m ^r Iadwin.
m ^r Herbert.	m ^r Bowyer.	m ^r Ditchfeild.	m ^r Chambers.
m ^r Seldon.	m ^r Deputy.	m ^r Rogers.	m ^r Bull.
m ^r Bromfeild.	m ^r Keightley.	m ^r Berblock.	m ^r Bland.
Cap ^t Bargraue.	m ^r Tomlynē.	m ^r Swinhow.	m ^r Whitley.
m ^r Gulstone.	m ^r Stiles.	m ^r Mellinge.	m ^r Seward.
D ^r Anthony.	m ^r Sheppard.	m ^r Meuerell.	m ^r Martin.
	m ^r Cranmer.	m ^r Paulson.	m ^r Barkham.
	m ^r Wellē.	m ^r Palmer.	& m ^r Arundell.
		m ^r Robertē.	

My Lord of Southampton signified vnto this Courte that though for many important occasions his owne leasure served him not till now to keep Courte, yett hee doubted not butt those Comittees that hadd any buisines heretofore recomended vnto their pticularr care and charge were now redie to give a verie good Accompt of their proceedings therin accordingly. [157]

His Lo^p: further signified that hee had received breife lres of the saffe arivall in Virginia of all those Ships save one w^{ch} were sent the last Springe And that three of the best of them had made a prosperous Voyadge in six weeks or there aboutes, And that of 200 psons transported in y^e Ionathan there died aboue 16: Of 70: in the Swann of

My Lo: of South-
ampton

Letters receiued of
y^e saffe ariual of
all y^e ships saue
one.

Barnstable not one, of 200: in the London Marchant but one onely, And that the Dutie in her long passage had likewise lost one; And lastly that of the number of the Cattle w^{ch} they then allso sent they had intelligence by the reporte of one man that they had lost tenn for w^{ch} they had againe in their passage 8 Calues, butt there was no certificate thereof as yett returned from the Gouvernor.

The Abigall enter-
tayned

His Lo^p: haveinge desyred the Company to thinke of the preparaçon of Ships to be sent this next Springe M^r Deputy gave notice of a verie good convenyent Ship called the Abigall of about 350 Tunn belonging to m^r Bland, m^r Wiseman, and some others brothers of this Societie that was now offered to goe vppon the same Condiçons that the Ion-athan and London Marchant did the last Springe, vizd. to Transporte in her 200 Persons and 50 Tunn of goods, for 700^{li}: in hand and 600^{li} vppon Certificate of Arivall in Virginia w^{ch} offer the Courte thought verie reasonable, and did generally assent thervnto.

The Abigall to take
in her people att
y^e Ile of Wight

Itt was likewise moved that for the more comōdiousnes and for pcuringe of ||people|| the better ~~people~~ that the Abigall might take in her people att the Ile of Wight: And that some other ships might be sent from Barnstable by the help of m^r Delbridge who was reported to have deserved well of the Company for his care and paynes hitherto afforded, w^{ch} m^r Delbridge promised still to continue to the good of that Plantaçon, and would vse his best endeavour to doe the Company service, And therfore desired that the Court would be pleased for their better encourragment & enablinge of them to transporte their Passengers, to take some present course that hee might have free libertie to ffish vppon the Northren Seas as formerly they had done from w^{ch} as hee conceived they were vtterlie debarred by a late graunt from his Ma^{tie}: to S^r Ferdinando Gorges and some others.

Ships to be sent
from Barnstable.

m^r Delbridge de-
sire to fish vppon
y^e N^o: Seas.

A new Patent
pcured by S^r Fer-
dinando Gorges.

Whervppon S^r Edwin Sandys did intimate vnto the Courte y^t hee was informed y^t S^r Ferdinando Gorges had pcured vnto himselfe and others a new Patent (now passed his Ma^{tis}: great Seale,) wherein certaine words were conveyed that did not onely contradict a former order of the LL^s: of the Counsell, w^{ch} their L^{ps}: after a full hearinge of the allegaçons on both sides and sett downe in Iune last by w^{ch}

this Company had yeilded some pt of their right to doe them good, [158] and therby promised to ffish, onely for their necessities and transportation of People in tender regaurd of the infancie of that Plantacon butt by this new graunt the Adventurers of the Northerne Collony had allso vtterlie excluded them of the Sotherne from fishing att all vppon that Coaste without their leave and lycense first sought and obteyned, w^{ch} was contrary & manifestlie repugnant to that comunitie and ffreedome w^{ch} his Ma^{ty}: by the first Patent as is conceived hath beene pleased to graunt vnto either Collony.¹

The So: Colony
excluded frō Fish-
ing in y^e N^o.

The Courte therefore seeinge no reason why they should loose their former right graunted vnto them by the first Patent the Sea allso beinge to all as ffree and comon as the Ayre, and fyndinge less reason why S^r Ferdinando Gorges should now appropriate and make a Monopolie of y^t fishing w^{ch} had allredie cost this Company 6000^{li}: and was the onely means lefte (now the Lotteries were allmost spent and other supply began to faile) to enhable them to transport their people and susteyne their Plantacon wthall: did wth a generall Con-
sent resolve forthwith to peticon to his Ma^{tie}: for a redresse herein, and to pray a further Declaracon of his highnes gracious pleasure and intention concerninge that Clause of prohibition and restraunte incerted in the New Pattent, wherby they were defeated of their libertie of ffishinge, Whervppon they appoynted theise Comittees to drawe the said peticon and to make itt in substance agreeable to those three poynt^e S^r Edwin Sandys had deliue^d in open Courte, And for that S^r Thomas Roe said that hee was the next day to goe to the Courte they desired him to p^{re}sent the same to his Ma^{ty}:

A Peticon to be
drawne to his
Matie.

A Comittee to draw
itt

S^r Tho: Roe desired
to p^{re}sent itt.

S^r Edwin Sandys desyred the Company to consider how behoufull itt was to sett forth a printed publicacon that might in effect conteyne these fower poynts.

The printed Publi-
cacon to Conteyne
4 poynt^e.

First to sollicite the Iustices of Peace generally for sendinge to this Company all such younge youtnes of 15 years of age and vppward as they shall finde burthensome to the Parish wher they live wth the

¹ to sollicite y^e Ius-
tices for sending
of younge youtnes.

¹ The order to the Solicitor General for the preparation of this patent is mentioned in List of Records, No. 192, page 142, *ante*.

Sume of ffive pounds in monny towards a farr greater charge w^{ch} the Company must be att for their apparrell and transportaçon into Virginia wher they shalbe entertayned in good manner as servant℥ and apprentizes vnder the Companies Teñnt℥.

2
The Lottarie to be
deliuered of many
fowle Aspercion℥.

The Second poynt to be in the behalfe of the Lottarie now of late very much disgraced that itt may be deliuered of many fowle aspersions vniustly cast vppon itt by malignnā tounges: notwithstandinge [159] itt is evident that the monney thereof arisinge hath sent allredie to Virginia 800 Personns to the great advancement of that Plantaçon.

3.

Thirdly to hasten the dispatch of these things against Ianuary next.

4
to putt in minde
such Aduent. as
haue not paid in
their subscripcion℥.

Fourthly to putt such Aduenturors in mynde of their subscripçons as have not as yett paid in their monneys as likewise to intimate vnto them what authoritie and power the Company hath by his Ma^{ties}: gracious Ires Pattents to recouer the same by suite if they shall willfully stand outt in poynt of Lawe and soe compell them to vse extreamities.

M^r Reynolds to be
free and to haue a
bill of Aduent:
sealed.

M^r Delbridge moved that the Courte would be pleased to admitt one m^r Reynolds to be ffree of this Company for w^{ch} favour hee would pay his xij^{li} x^s. w^{ch} request the Courte thought verie reasonable and ordered that hee should have a bill of Aduenture given him vnder y^e Comp^a: Seale.

The Comittees for
makinge some
necessary prouisions
for staple
Comodities and y^e
stablishing of
good gou^{rn}m^t to
mak report att y^e
next Cour^t

My Lord of Southampton prayed the Comittees that were appoynted to make some necessary pvisions for the setting vpp of the Staple Comodities in Virginia ~~and~~ ^{and} ~~as~~ ^{as} likewise those w^{ch} were desyred to take some extraordinary paynes for the stablishinge of good gouerment there that they would please att the next Courte to give an Accompte of their proceedings in their pticularr charges. In like manner the Comittees appoynted to examine S^r Thomas Smiths Accompts are desyred then allso to certifie what they have done in that buisines.

Itt was allso desyred that the Comittees appoynted to treat wth M^r: Englebert ~~who~~ ||would|| please to lett the next Courte vnderstand how farr they hadd proceeded with him on the behalfe of the Company touchinge his demaunds for his intended service in Virginia, vizd S^r: Iohn Dauers, and m^r Gibbes.

The Comittee for
treatinge wth m^r
Englebert to giue
an Accompt att
next Courte

S^r Edwin Sandis desired this Courte to take into their consideraçon howe materiall and necessary itt was as well to suppress hereafter the inordinate excessive plantinge of Tobacco so generally distasted hitherto [160] as allso to encourage and harden them on the more earnestlie to plant such Staple Comodities as they are principally directed to apply to giue notice to the Collony in Virginia that the Company here will hereafter expect to be §re§paid for such servant^e as they shall send ouer to them for Apprentizes in no other Comoditie butt Corne, Silk Codd^e, Silkgrass, Hemp Flax and such other Staple Comodities, wherin hee that shall excell and abound moste by his good husbandry shalbe respected and rewarded therafte wth the first choyce of such youths and servants as shalbe sent thither for their vse this next Springe, ffor w^{ch} cause hee wished that a Committee of Marchants skillfull in these pticularr Comodities might be appoynted to sett such indifferent good rates and prizes vpon them now att first as might not onely make the Company here savo^rs therby butt give the Planters allso better encouragment to improve and raise the same abundantlie by their industry & labour Whervpon the Courte nominated these Comittees vizd.

y^e inordinate ex-
cess of Plantinge
Tobacco to be sup-
pressed and other
Staple Comodities
to be planted.

Comittee

m^r Abraham Chamberlin.

m^r Deputie.

m^r Mellinge.

m^r Wiseman.

m^r Keightley.

m^r Edward^e.

m^r Cranmer.

m^r Blande.

& m^r Casewell, who are

desyred against the next Courte to retorne their answer.

A mo^ocon made that m^r Markham Bookeeper might have some reward for his paines extraordinary in the service of this Company for w^{ch} hee was referred to the Courte by the Auditor^s to examine and make reporte therof accordingly.

m^r Markham for
some reward

M^r Spruson to
bringe his Ac-
compte.

M^r Spruson is desyred to bringe his Accompts concerninge the North
erne Fishinge vnto the next Courte to be Audited wherof m^r Webb is
likewise willed to give S^r Thomas Smith present notice.

S^r Rich: Worsleep
knight & Barronet
&^e theire olde Pat-
ent confirmed.

This Plantacon to
be called y^e Ile of
wight^e Plantaço:

Vppon the humble Petiçon of S^r Richard Worsleep knight Baronett
Nathaniell Basse gent, Iohn Hobson gentleman, Antho: Oleuan
Richard Wiseman, Robert Newland, Robert Gyuer and William
Wellis Associates and fellow Adventurers wth Cap^t: Christopher
Lawne deceased the Courte was pleased to graunt vnto them and their
heirs a confirmaçon of their Old Pattent with all manner of pryve-
ledges therin conteyned, and that the said Plantaçon shall from hence
forth be called the Ile of Wight^e Plantaçon, Provided that the heirs
[161] of the said Christopher Lawne be no way p^{ri}udiced therby; And
in regard of the late mortalitie of the personns transported heretofore
by the said Captaine Lawne the Courte hath likewise given them till
Midsomer 1625 to make vp the number of their said p^{er}sonns
mençoned in their former Pattents.

The passage of 2
men to be allowed
W^m: Willis

Wheras by a former order of Courte in Ivne last vppon the humble
petiçon of William Wellis in the behalfe of the Executo^{rs} of Christ:
Lawne deceased in regard of the great losse and charge that the said
m^r Lawne in his life time hath bin putt vnto and susteyned in his
pryuate Plantaçon Itt was agreed to allowe him the passage of two
men w^{ch} they ~~agreed~~ esteemed to be twelue pounds, w^{ch} monny was
thought fitt should be paid by m^r Webb Husband of the Company butt
of the monney paid him by two Passengers transported in the last
Ship to Virginia.

m^r Gold to haue y^e
maynder of his
fraught paid ac-
cordinge to his
Charter parte

M^r Golde parte Owner of the Falcon made a request vnto the Com-
pany that the remaynder of the freight of the said Ship might be paid
vnto him, seeinge ther was notice given by word of mouth that shee
was aryved in Virginia, Whervppon the Court thought fitt that accord-
inge to his Charter parte itt should be payd w^{ch} was vppon Certificate
vnder the Gouverno^{rs} hand of the Arivall of the said Ship and deliuey
of y^e Goods and Cattle transported in her.

Captaine Mathew Somers haveinge peticoned that hee might enioy the inheritance of his Uncle S^r George Somers^e Lands in Virginia the quantitie of 30000 Acres allotted vnto his said vnclē in recompence of his service and disbursments beinge as hee alleadgeth 1100^{li}; The Courte ordered that if hee could make itt appeare that so much was due vnto his said Uncle (as hee had informed) hee should have right done vnto him accordinglie.

Cap^t Mathew Somers^e petiçon for his Uncles inheritance.

The rest of the Petiçons were referred to the next Courte to be read and ordered. [162] Petiçons referred.

A PREPARATIVE COURTE HELD Y^e 13TH OF NOVEMBER 1620

PRESENT

the Right Honorable The Earle of Southampton.

The Lord Cauendish.

The Lord Pagett.

S ^r Thomas Roe.	m ^r Bromefeilde.	m ^r Edward ^e .
S ^r Phillip Cary.	m ^r Iohn Smith.	m ^r Barbor.
S ^r Edwin Sandys.	m ^r Wrothsbye.	m ^r Cranmer.
S ^r Iohn Dauers.	m ^r Deputy.	m ^r Swinhoe.
S ^r Robert Phillips.	m ^r Steward.	m ^r Widdow ^e .
S ^r Iohn Radcliffe.	m ^r George Sandys.	m ^r Mellinge.
S ^r Walter Earle.	m ^r Robert Smith.	m ^r Delbridge.
S ^r Frauncis Wyatt.	m ^r Sheppard.	m ^r Robert ^e .
S ^r Edward Lawley.	m ^r Keightley.	m ^r Newporte.
m ^r Wroth.	m ^r Nicho: Ferrar.	m ^r Porter.
m ^r Gibbes.	m ^r Leuer.	m ^r Boothby.
m ^r Bawper.	m ^r Wisemam.	m ^r Sparrow.
m ^r Herbert.	m ^r Blande.	w th divers others.

fforasmuch as Captaine Somers alleadged in his petiçon thatt itt appeared vppon Record that S^r Georg Somers his Vncle had disbursed 1100^{li} towards the advancement of the Plantaçon w^{ch} hee desyred

The Secretary to certifie y^e truth of Cap^t: Somers^e request.

might be repayd him as beinge his right Heire; The Courte gave order to the Secretary to search the books and certifie the truth thereof att the next Courte.

S^r Tho: Roes report of the Petición deliuered to his Ma^{tie}:

S^r Thomas Roe att the request of the Company haveinge delivered their petition to his Ma^{tie}: made now a reporte of his highnes gracious answere therunto, who said that if any thing were passed in New England Patent that might be preiudicall to them of the Southerne Collony itt was surreptitiously donn and without his knowledge and that hee had bin abused therby, by those that pretended otherwise unto him. Itt pleased his Matie to express as much in effect to my Lord of Southampton with many other gracious words in comendaçon of this Plantaçon, and signified further that his Ma^{ty}: forthwith gaue comaundment to my Lord Chauncello^r then present that if this new Patent were not sealed for to forbear the Seale, and if itt were sealed and not deliuerd hee should then keep itt in hand till he were better informed. [163]

y^e Patent to be deliuered to be perused by some of the So: Colony.

His Lo^p: further signified that vppon Saterdag last they had been wth my Lord Chauncello^r aboute itt, wher were present the Duke of Lenox, the Earle of Arundell, M^r Secretary and some others who after a full hearinge of y^e allegaçons of both sides did order that the Patent should be deliuered to be perused by some of the Southern Collony who are to make reporte what excepçons they finde thereunto against the next meetinge.

The Addiçon to be affixed to y^e former Plantaçon ordered to be published.

S^r Edwin Sandis moved that the Addiçon intended to be affixed to the former Plantaçon (beinge now redie drawne) §might be read§ w^{ch} beinge done was generally approved and by erecçon of hands ordered to be published as aforesaid.

My Lo: of South-ton and m^r Deputy to Seale y^e Charter parte for the Abigall.

The Owners of the §Ship called y^e§ Abigall (allowed of by the last Courte) moved that their Charterparte might be sealed, whervppon the Courte humbly entreated (that because the Treasurer did hertofore vsually performe the same) itt would please my Lord of Southampton together wth m^r Deputy to vndertake itt on the behalfe of the

Company, for w^{ch} they would make an Acte of Courte to saue them harmeless; Whervvpon his Lo^p: did willinglie assent therevnto as likewise m^r Deputy: And an Acte of Courte by erec^{cion} of hands was made accordinglie.

M^r Deputie haveinge likewise heretofore procured certaine Dutchmen from Hamburrow for erectinge of Saw Mills in Virginia and att the request of the Company Contracted wth them vpon some condi^{ci}ons as wer thought reasonable by the Comittees, hee now therfore desires that this Courte would please to graunt some forme of Securitie vnder y^e Comp^a: Seale that might save both himselfe and m^r Sheppard harmeless beinge a partner wth him in the said Contract w^{ch} mo^{ci}on the Court thought verie reasonable and gave order for drawinge the said securitie that itt might be sealed accordinglie.

Security to be drawne for saueinge m^r Dep^y: and m^r Sheppard harmeless for y^e Contract made wth y^e Dutch Carpenters.

The Comittees appoynted to examine S^r Thomas Smith^e Accompts beinge now desyred to make reporte what they had done in their seuerall parts appoynted vnto them: S^r Edwin Sandys declared howe farr S^r Iohn Dauers and himselfe hadd proceeded in their pticularr taske namely in examination of S^r Thomas Smith^e receiptes by Adventurers w^{ch} notwithstandinge they found itt a most intricate [164] and difficult peece of worke to bringe to passe in regard of y^e disagreement of the books themselves, by w^{ch} they were to be guided, yett they would labour by an Alphabeticall Table to bringe things to an head and therby declare allso the differences whervnto they would afterward desire S^r Thomas Smith^e answer.

S^r Edw: Sandys reporte how farr hee & S^r Io: Dauers had proceeded in examyning S^r Tho: Smith^e Accompt^s.

M^r Wroth one of the Co^mittees appoynted to examine S^r Thomas Smith^e Receipts by Lottaries, wth payment allso of the Prizes and other charges to them incident, reported that ||by reason|| hee could finde no bookes wherby the particula^{rs} might appeare, hee found itt impossible to sattisfie the expecta^{ci}on of the Company therein.

M^r Wroth^e reporte of S^r Tho: Smith^e Receipt^s by Lotta^{rs}

M^r Deputy one of the Comittees appoynted to examine S^r Tho: Smith^e Receipts of Goods from Virginia by ffines allso, by Collections, and other meanes whatsoever, made reporte that hee could finde no men-

m^r Dep^y: report of S^r Tho: Smith^e receipt^s of Goods.

con att all in any of the books (w^{ch} hee and M^r Cranmer had carefully pvsed) of any goods brought from Virginia, The Courte therfore thought fitt that hee should give notice therof to S^r Thomas Smith and pray his answere thervnto.

m^r Keightley and
m^r Cranmer their
Reports of S^r Tho:
Smith^e Disburs-
ment^e.

M^r Keightley and M^r Cranmer beinge apoynted to examine S^r Thomas Smith^e Disbursment^e returned this answere that they knew not howe to proceed therein, because they neither could finde war^{nt}^e nor any other ~~thing~~ ^{thing} else evidence that might shewe howe the moneys ~~might~~ had been from time to time lawfully issued; and haveing acquainted S^r Thomas Smith therwth his answere was that hee knew not what was becom of those war^{nt}^e.

The Comittees to
goe on to y^e draw-
inge of these Ac-
comp^{ts} to some
heads.

Nottwithstandinge all these difficulties my Lord of Southampton desyred the said Comittees to proceed and goe on to the drawinge of these Accompts to some head, And the rather because S^r Thomas Smith had soe freely offered to be aunswerable for what soever they would charge vppon himselfe and would be redie allso to pay for his mens default^e. [165]

A patent graunted
to y^e Town of Ips-
wich

M^r Deputie signified that the Towne of Ipswich desyred that a Pattent might be graunted vnto them for a Perticularr Plantacon, And that wheras they were indebted to the Company 200^{li} they had now payd in one hundred and therefore hee hopeth this favour will be a good inducement vnto them to pay in the rest, Whervppon the Courte ordered that they should have a Pattent.

m^r Delbridge 2
Shares to his
Sonne.

M^r Delbridge desyred the Company that hee might passe two of his Shares to his Sonne, w^{ch} request the Courte graunted, butt willed him to pass them after the ordinary course w^{ch} was by writinge and by allowance of the Audito^{rs} w^{ch} was accordinglie pformed These seu- erall bills of Adventures beinge allowed by the Audito^{rs} did likewise passe the approbacon of the Courte for their Assignements. vizd:

Bills of Aduen-
turers passed.

One bill of 50^{li} from Captaine Brewster to S^r Frauncis Wyatt.
One bill of 25^{li} from Thomas Maddox gent to m^r Stubbs.

One bill of 37 : 10^s from m^r William Litton esqr to Captaine Harvy.
 One bill of 5 Shares from m^r Edward Harrison to Raph Fogg.

M^{rs}: Berkley haveinge petiçoned ~~from the~~ ^{for} repayment of the mony due vnto her husband deceased w^{ch} was 331^{li} 12^s 10^d as may appeare by the Leger Booke. The Company offered her to make vp that sune 400^{li} so that shee would be contented to take 331^{li} 12^s 10^d in monny and the rest in Shares of Land w^{ch} shee willinglie accepted of and there-vppon itt was ordered by a generall consent that shee should be soe paide.

M^{rs} Berkley ordered to be paide.

My Lo: of Southampton did putt the Audito^{rs} in mynde to examine m^r: Markhams deserts in the Companys service and therof to make reporte.

M^r Markams deserts examined.

Vppon the ~~request~~ humble petiçon of W^m Iarrat for that hee hath beene an antient inhabitant in Virginia for the space of thirteen years where hee hath done the Company great service by reason of his experience and skillfullnes in many things, the Courte agreed to recomend him to Captaine Newce as the Companies Teñnt and should have a boy putt to him for apprentize, and his wife and Child should have their passage free and for the furnishing of him and his wife wth necessaries itt was left ~~with~~ ^{to} m^r Deputy to deale therin as hee thought fitt. [166]

W^m: Iarratt to be recomended to Cap^t Newce, and to haue a Boy put to him as Apprentize.

William Gay petiçoned that his sonne Iames (heretofore the Apprentize of Christopher Lawne deceased and by him turned ouer to Captaine Hamor) might returne home for England, w^{ch} was graunted, provided that hee be att the Charge of his said sonns returne, in whose roome the Company resolved to send another to Captaine Hamor.

Iames Gay to come for England.

Lazarus Hauerd beinge heretofore imployed in the Companies service and likewise by S^r George Yeardley in a Frigott in three daungerous voyadges did now petiçon to this Company for their charitable consideraçon of his present wants whervppon itt was agreed that

Lazarus Hauard entertayned by m^r Poulson.

S^r Georg Yeardley to bestowe some thing on him m^r Poulson should be entreated to entertaine him, and that S^r George Yeardley should be solicited by Ire to bestowe some thing on him in reward of his service done him.

A mo^oon in the behalfe of y^e So^mer Iland^e Compa: A mo^oon was made as formerlie their had beene in the behalfe of the So^mer Iland^e Company that there might be a Certaine quantitie of Land in Virginia graunted vnto them lyinge neerest to those Iland^e for the better support of that Company w^{ch} they desyred might now be confirmed att this Quarter Court.

A writinge exhibited by Gabriell Wisher A Certaine writinge was exhibited to the Courte by one Gabriell Wisher a man well knowne to some of this Company, who vnderstandinge that divers Staple Comodities are intended to be sett vpp in Virginia maks offer to this Company to procure out of Poland, and Sweadland (wher hee is well acquainted) men skillfull in makinge of Pitch, and Tarr, Pottashes and Sope Ashes, Clapbordes, and Pipestaues, dressers of Hemp & Flax As allso men skillfull in makinge Salt Peter, and Powder, and would bringe them from those parts into England by the end of May next after the rate of x^{li} x^s a man as many as the Comp^a: shall thinke good. To pforme w^{ch} hee desires 60^{li}: in hand to be payd att Hamburrow for w^{ch} hee will putt in securitie.

Mr Wood^e aunswere returned. Wheras vppon a former treatie had wth m^r Wood in the behalfe of M^r Gookin for transporta^on of Cattle outt of Ireland into Virginia an offer was made vnto him after the rate of x^{li}: a Cowe vppon certificate of their saffe landinge, Provided they were fayr and lardge Cattle and of our English breed. The said m^r Wood hath now returned his fynall aunswere that hee cannott entertaine the bargaine vnder xij^{li} the Cowe without exceedinge greate losse. [167]

ATT A QUARTER COURTE HELDE FOR VIRGINIA THE 15TH
OF NOUEMBER 1620.

PRESENT

the Right Honorable Earle of Southampton.
Lord Cauendish.
Lord Pagett.

S ^r Edwin Sandys.	S ^r Richard Grobham.
S ^r Iohn Dauers.	S ^r Frauncis Wyatt.
S ^r Robert Phillips.	S ^r Edward Lawley.
S ^r Phillip Cary.	

m ^r Brooke.	m ^r Chri: Earle.	m ^r Nicholas Ferrar.
m ^r Deputie.	m ^r Bromfeild.	m ^r Sheppard.
m ^r Gibbes.	m ^r Wrotheby.	m ^r Boothby.
m ^r Wroth.	m ^r Iohn Smith.	m ^r Couell.
Docter Anthony.	Cap ^t Bargaue.	m ^r Ayre.
m ^r Georg Sandys.	m ^r Herbert.	m ^r Wiseman.
m ^r Casewell.	m ^r Robert Smith.	m ^r Berblock.
	m ^r Cranmer.	m ^r Chamberlyn.
		m ^r Mellinge.
		m ^r Clarke.

After the Act^e of the former Courte were read a straunger stept in presentinge a Mapp of S^r Walter Rawlighes conteyninge a Descrip-
cion of Guiana, and wth the same fower great books as the guifte of
one vnto the Company that desyred his name might not be made
knowne, wherof one booke was a treatise of S^t Augustine, of the Citty
of God translated into English the other three greate Volumes wer
the works of M^r Perkins newlie corrected and amended, w^{ch} books
the Donor desyred they might be sent to the Colledge in Virginia there
to remayne in safftie to the vse of the Collegiates hereafter, and not
suffered att any time to be sent abroade, or vsed in the meane while,

A Mapp presented
of S^r Walter Raw-
leigh & 4 great
Bookes.

ffor w^{ch} so worthy a guifte my Lord of Southampton desyred the p^{tie} that presented them to returne deserved thanks from himselfe and the rest of the Company to him that had soe kindly bestowed them.

S^r Edwin Sandys
reporte of m^r
Chamberlyn^e care
for compoundinge
wth the States of
Middlebrough.

S^r Edwin Sandys acquainted the Courte howe carefully m^r Chamberlyn had been att the request of the Comp^a: to compound wth the States of Middlebrough for the Custome of the Tobacco to be brought thyther this year from Virginia signifyinge that hee had brought them neere to an agreem^t, so that for bringinge the said Comoditie in they should pay but a halfepenny y^e pound and for carryinge the same out againe to pay after the same rate; [168] And for that the said States might have the better assurance of the p^rformance hereof by the Company, Itt was humbly desyred that itt would please my Lord of Southampton to intimate so much vnto them by his Lo^{ps}: owne letter in the name of the Company, w^{ch} my Lord very nobly p^rmitted to dispatch accordingle.

A French Booke
for plantinge of
Mulbery trees &
ordering of Silk-
wormes to be trans-
lated into English.

S^r Edwin Sandys further signified that wheras certaine Instru^cions were sent in writinge in the Bona Noua concerninge the plantinge of Mulbery Trees, and makinge fitt roomes for the Silkwormes (w^{ch} in his opinion was exceedingle well done) and haveinge now vnderstood of a ffrench book of the same Subiect comended vnto him for an excellent treatise of that kinde) moved that some of the Comp^a: would please to take the paines to translate itt into English, and that a good number of them might be printed to be sent ouer to Virginia and ther dispersed amongst the Planters soe as everie houshold might have one, And that in the said booke the p^ticularr rates of those Staple Com^odities w^{ch} the Comittees were desyred to sett downe to be payd for them to the Planters might likewise be incerted wth some Instru^cions allso fo^r the orderinge of other Comodities w^{ch} mo^ocon was well approved of and generally assented vnto.

A note presented
to my Lo: of South-
ton of such Staple
Comodities as
wilbe had shortly
in Virginia

M^r Deputy haveinge presented to my Lord of Southampton a note of such Staple Comodities as are supposed may either now or verie shortly be hadd in good aboundance in Virginia w^{ch} were rated particularly by a Comittee of Marchant^e att such price as they are now sould att here in England, Itt was thought fitt and desyred that the

||said|| Comittees would againe take some further paines on the behalfe of the Planters in Virginia to moderate and abate the said Prizes to such a reasonable rate wth consideraçon of freight and Hazard, as both the Marchants might be enduced to buy the same and the Planters assured of a Certaine vent hereafter of the said Comodities.

The Comittees to moderate and abate y^e prize of them C^r.

S^r Edwin Sandys declared that the Comonwealth and State of the ~~Country~~ Colony in Virginia began generally to prosper so well as they did not desire any more provysion of Meale to be sent vnto them but rather prayed that the Company would be pleased to be att the ||some|| charge to send them a few triflinge Comodities [169] As Beades and such like toyes wherby to truck wth the Indians for Corne and other necessities to encrease and maynteyne therby a Christian Commerce, and trade with the Sauages, w^{ch} they exceedingly desire may be continued.

S^r Edw: Sandys reported y^t the Colony desired no more meale but rather some trifling Comodi: to truck wth y^e Natives.

Touchinge Gabriell Wishers former offer att the last Court to procure out of Sweadland, and Poland men skillfull in makeinge Pitch, & Tarr, Pottashes, and Sopeashes, Dressers of Hemp and Flax, Clapbord and Pipestaues and for makeinge Salt Peter and Powder after the rate of 10^{li}:10^s a man that shalbe here by the end of May next. The Courte have ordered that hee shall have 100^{li} allowed him to provide Tenn skillfull men as aforesaid butt for the manner of the Contract to be made with him and other necessary circumstances incydent therunto they have referred the said Gabriell Wisher to be further concluded wth the Comittees.

Gabriell Wisher to haue 100^{li}: C^r.

Thomas Wood beinge now willinge (though hee conceived itt a hard bargaine) to accept of the offer of the former Courte, w^{ch} was that for everie Cowe of our English breed transported by him or his Agents safe and sound to Virginia hee should be paide Eleuen pounce and for every Shee Goate three pounds tenn shillings, vpon certificate att his returne from the Gouvernor there; Hee moved therefore now that hee might have some assurance vnder the Companies Seale for the payment of the said Monny; whervppō the Courte ordered that accordinge to his request hee should have his securitie confirmed vnder the Seale of the Company for w^{ch} they gave order to m^r Deputy to see itt done.

Tho: Woode to haue his security Vnder y^e Comp^a: Seale.

m^r Caswell mo^oon
for soliciting y^e Lo:
Maio^r for y^e like
number of chil-
dren as formerly
they had.

A Ire: to be writ-
ten to y^e Lo: Maio^r
& Aldermen.

M^r Caswell moved that the Lord Maio^r of this Cittie might be solicited to afforde this Company the like number of Children with the like allowance as formerly they had, butt hee wished wthall that itt might be effected vppon more easie condi^ons then the former Comittees for the Cittie sought to drawe them vnto who as itt appeared stood more vppon an over advantagious bargaine on the behalfe of the said Children then they did vppon the good of the Planta^oon for w^{ch} they were p^ucured Itt was therfore thought fitt and so ordered that a Ire should be write to the Lord Maio^r and Aldermen specifyinge y^e Condi^ons p^uticularly for w^{ch} the Comp^a: would accept of them and in good manner place them as ser^vnt^e or Apprentizes wth the Companies Teⁿnt^e. [170]

5^{li} demaunded wth
euery Childe y^t
shalbe sent out of
y^e Country helde
to be too great a
charge

M^r Smith conceivinge that the sume of five pound demaunded wth euery Childe that should be sent out of the Country to be transported to Virginia was a greater charge then would willingly be disbursed by the Common sorte, seeinge they might wth a lesse charge as ordinaryly for five Marks binde their Children Apprentizes att home to good Trades and therfore itt was vnlikely they would be drawne to give a greater sume to send them to a fforraigne Country hee therfore moved that the 5^{li} specified in the Publica^oon might be abated to ffive Marks for w^{ch} mayne reason the Courte thought fitt and ordered y^t abatement should be made of the said five pound accordinglie.

The rewardinge of
the Marshall of y^e
Cittie and some
others for p^ucuring
y^e Children out of
y^e Cittie referred
to the Comittees

M^r Deputy signified that hee was solicited by the Marshall of this Cittie and some others that had taken paines to p^ucure those Children out of the Cittie w^{ch} were heretofore sent to Virginia, to move this Courte for some reward for their care and travell therin, y^t they might be encouraged hereafter to take the like paines whensoever they should have againe the like occasion; The Court herevppon referred itt to the Comittees to give such a Sum^e and to p^upor^oon the same amongst them as they shall thinke fitt.

M^r Jefferson re-
ferred to S^r Edw:
Sandys & M^r
Deputy.

M^r Jefferson desyringe the Courte to take into their good considera^oon the losses hee had susteyned; was referred to S^r Edwin Sandys and M^r Deputy to conferr wth them aboute the same.

Some of the Summer Ilands Company moved that the Courte would be pleased as well in respect that the Bermudas was sould vnto them for a farr greater quantitie of Land then they nowe finde it to be as also for the better enhablinge of them to subsiste and to procure and maynteyne a mutuall dependance and traffique hereafter to graunt and confirme vnto them now in this great & generall Quarter Courte a good porcion of Land in Virginia on that side of the Coaste as lyes nearest vnto them, either att Ronoq, southerly or else wheras shalbe most convenyent for them not beinge yett inhabited; W^{ch} request the Courte takinge into consideraçon, did [171] order and agree that accordinge to the number of their Shares (beinge in all 400 or their aboute) they should have for every Share 100: Acres of Land in Virginia, and 50 Acres for every pson that shall be transported thither, Provided that none of them sell his said Shares vnless hee sell together wth itt his Share of Land in the So: Ilands and for a publique Stocke they have likewise graunted vnto them 5000: Provided that between this and the year 1625 they transporte for everie Share for that Plantaçon att least one man; Provided also that soe many as shall not §vnder§ write and accordingly pay in his mony ratably by the settinge out of this first Voyadge shall not be capable of the said one hundred Acres for a Share; And lastly the Courte ordered that a fre should be write to the Gouvernor to sett out their bounds and lymitts where they shall like best to seat themselves so as they may not be preiudiçall to any other Plantaçon ther alredy.¹

The Summer Ilands Comp^a: motion for a good porcion of Land in Virginia

they shall haue for euery share 100 Acres and 50 Acres for euery Person y^t shalbe transport:

A fre to be writ to y^e Gouverno^r to sett out their Lande C^r.

Cap^t: Somers [] in respect nothinge did appear by S^r Tho: Smiths Cash booke to be paid in redy monny by S^r George Somers to S^r Thomas Smith) was desyred to prepare such proofes against the next Courte as hee presumed hee could produce to iustifie his demaund to be due as aforesaid.

Cap^t Somers to prepare his proofs C^r

The Ladie De Lawarre haveinge by her fre dated the 15th of this present moneth signified vnto the Comp^a: that wheras aboute three years since the Earle of Hartford adventured 150^{li} in her late husband

The La: Lawarre request in y^e behalfe of m^r Kelly assented vnto.

¹ The provisions for the settlement of this land are included in the printed book of the Orders and Constitutions of the Somers Islands Company. Two Courts of the company concerning this subject are mentioned. See List of Records, Nos. 290, 303, 304, page 154, ante.

(the Lord Delawarr^e) last Voyadge to Virginia as by an agreem^t vnder his hand and seale made in the behalfe of the said Earle may appeare. And for asmuch as the said Earle hath since conferred y^e benifitt of his said purchase vppon his servant m^r Iohn Kelly, shee therfore moved that hee might have a proporcion of Land in Virginia accordinge to the number of Shares due for the said some of —150^{li} as allso for the personall Adventure of 10 men transported thither by her said Husband: w^{ch} request the Courte thought verie reasonable, and accordinglye assented there vnto: Provided that so much be deducted ratably out of my Lord Delawarr^e Accompts.

m^r Hen: Rowlands
assignment Con-
firmed & a Per-
sonall Share al-
lowed him for y^e
Adventure of his
brother^e person

M^r Henry Rowland Goldsmith petiçoned that forasmuch as his brother Dauid Floyde had assigned vnto him his purchased Adventure of 12^{li} 10^s w^{ch} this petiçoner paid for though passed in his said brothers name as by his assignement vnder his hand and Seale maie appeare. [172] The Petiçoner therfore humbly desyreth that his said Assignement beinge allowed by the Audito^{rs} might now pass the approbaçon of this Courte And that hee likewise might have one psonall Share of Land, due for the Adventure of his said brothers person who dyed in Virginia full tenn years since, w^{ch} Captaine Tucker allso testified to be true. Whervppō the said Assignement was by order of Courte confirmed to the said peticoner as likewise the Share of Land desyred for the personall Adventure of the said Dauid Floyde deceased.

Rich: Mooreton
for a share of Land
for Adventure of
his Person.

Richard Mooreton in his petiçon craveinge an allowance of one Share of Land for the Adventure of his pson haveinge been in Virginia allmost three years, answer was made that his request could not be graunted vnless hee had continued there the full tearme of three years, either att one or att seuerall times: And therfor orderd that if hee would be contented to returne againe or send on thither hee should have his personall Share allowed vnto him & direcçon should be given to the Gouvernor to sett out his Land for him w^{ch} offer hee willinglie embraced and assented vnto.

Williā Potterton
petiçoning for rec-
ompence for y^e
seruice of W^m:
Trew referd to my
La: Lawarr.

William Potterton in his petiçon haveinge desyred y^t the Courte would please to give him the same recompence for the service of one Edward Trew his Apprentice beinge (15^{li}) w^{ch} my Lo De Lawarr promised him as may appeare by his Lo^{ps}: bond for his good will to lett his

said servant goe wth him to Virginia ~~to let~~ where hee still remayneth in the Companies service; The Courte herevppō ordered that the Petiçoner should repayre to my La: Lawarr for his sattisfacēon in consideraōon of her husbands promise extant vppon his ||lp^s|| bond.

Captaine Daniell Tucker in his Petiçon desyred that the Comp^a: would please to graunt him some Competent portion of Land in Virginia, aswell in recompence of his service there, so well knowne to this Companey in vndertakinge the Charge of all the muniōon and provision belonginge to the Collony beinge allsoe sworne of his Ma^{ties}: Counsell there, and shortlie after my Lord DeLawarres Arivall, appoynted Prouant Maister, Viceadmirall and Truck M^r, continuinge in the said Offices five years vntill his Ma^{ties}: by express lers sent for him, [173] as likewise in consideraōon of the Pinnacle hee sent thither wher shee is still employed and doth the Company great service in carryinge Corne and other things from place to place; The Courte therfore duely weighinge the merriitts of his Person and service did generally agree and order that hee should have fifteen Shares of Land bestowed vppon him vppon a first division as the Companies reward in recompence of his said service, vppon Condiōon that hee should not sell away any of his said Shares w^{ch} hee assented vnto and wth much thankfullnes accepted of.

15 shares bestowed
vppon Cap^t Tucker.

S^r Iohn Dauers herevppon moved that for the more equall distribuōon of Shares hereafter, vppon well deserving personns employed in the Companies service that ther might be a speciall Committee appoynted who vppon due examinaōon of their pticularr merriitts might sett downe such a proporōon of Land for their rewardes, as might best suite wth the * * * * * ||Honorable|| bountie of this Courte, and their pticularr deservings, w^{ch} moōon the Court conceived to be of very great importance, and did therfor order that these Committees should be appoynted for the future disposiōon and proporconinge of Shares vizd^t S^r Edwin Sandys, S^r Iohn Dauers, m^r Deputy, m^r Smith, Captain Tucker.

A Committee appoynted for Disposinge & proporconinge of Shares.

These were appoynted to take care of the two Virginia maydes remayne in the Custodie of m^r William Webb the husband vizd m^r Case-

A Committee for takinge care of y^e 2 Virginia Maydes.

well, m^r Robert^e, m^r Caninge and m^r Webb, who are likewise desyred to place them in good services where they may learne some trade to live by hereafter for w^{ch} respect y^e Company hath promised to bestowe some thinge wth them.

The Securytie for
sauinge harmeless
m^r Deputy and m^r
Sheppard ordered
to be sealed. The forme of Securitie ordered the last Courte to be drawne for m^r Deputy and m^r Sheppard to save them harmelesse as touchinge a Contract made wth certaine Dutch Carpenters sent to Virginia to be imployd in the Companies service was now read and ordered to be sealed.

The Agreement
made wth m^{rs}
Barkley con- The agreement made wth m^{rs} Barkley for allowinge her 331^{li}: 12^s: 10^d in money and so many Shares of Land in Virginia as might make vpp the said sume 400^{li} was now putt to y^e question and confirmed. [174]

D^r Bohun^e Pat- Doctor Bohune haveinge desyred that his Pattent might be renewed
tent renued in his
owne name. in his owne name onely and Capaine Swifte who was ioyned with him in the first might be in this lefte outt for that hee was gone beyond Sea beinge accordinglie drawne and nowe presented the Court gave order to m^r Deputy to Seale itt.

My Lord of South- My Lord of Southampton signifide vnto the Company that himselfe
ampton reported and some others hadd been this afternoone before the Lords to make
how y^e hee had reporte what iust exceptions they had taken against new England
been before y^e Pattent wherby they found themselvs vtterlie excluded from fishinge
LL^{ts}: of y^e Counsell vppon the North Seas butt wthall his Lo^p: signified that by a late
to acq̃int them of conference had with S^r Ferdinando Gorges aboute itt they did nott
y^e excep^{co}n taken against New En- doubt butt they should now accorde, for that itt was agreed on both
gland Pattent sides for some important reasons to renewe either of their Pattents
w^{ch} was promised should be done by mutuall advise of the Counsell:

The Patent to be Whervppon their Lo^{ps}: ordered that in the meane while this Patent
deposited in my of S^r Ferdinando Gorges should be sequestred and deposited in my
Lo: Chancello^{rs} Lord Chancello^{rs} hands (as vndelivered) accordinge to his Ma^{ties}: express
hande Commaundement. And that this Company should notwithstandinge
The Comp^a to goe goe on wthout losse of time vppon the preveledge of their former
on vppon y^e preu- graunt^e wherby itt was conceived they had libertie to fish vppon the
ledge of their Seas now debarred.
form^o graunt^e.

Att the risinge of the Courte m^r Smith acquainted his Lo^p: and the rest of the Counsell present that itt was the humble sute of y^e generallytie vnto them that they would please to enter into consultacon, and advise about such further imunities and larger previledges as were fittinge to be moved att this next Parlyament. and that itt might redound aswell to the Honour of this noble Societie as the future advancement of the Plantacon in generall wherof they had now cause sufficient to conceave the greater hope to speed the better in respect his Ma^{ty} began of late to fix his gracious eye vppon itt, as beinge redie vppon all occasions to afford them his Royall fauour and proteccon. [175]

m^r Smith's mocon
to Consider of such
future imunities as
were fittinge to be
moued at y^e next
Parliam^t

ATT A COURTE HELDE IN Y^e AFTERNOONE
Y^e 13TH OF DECEMBER 1620;

PRESENT.

S^r Edwin Sandys.
S^r Iohn Dauers.
S^r Phillip Carye.

m ^r Iohn Wroth.	m ^r Earle.	m ^r Robert ^e .
m ^r Gibbes.	m ^r Berblocke.	m ^r Bull.
m ^r Herbert.	m ^r Stewarde.	m ^r Mellinge.
m ^r Smith.	m ^r Palauacine.	m ^r Cuffe.
m ^r Dep ^{ty} Ferrar.	m ^r Tomlyn ^e .	m ^r Boothbie.
m ^r Sheppard.	m ^r Wheatley.	m ^r Couell.
m ^r Nicho: Ferrar.	m ^r Maisterson.	m ^r Rolph.
m ^r Bland.	m ^r Swinhowe.	m ^r Combes.
m ^r Casewell.	m ^r Challoner.	w th diuers others.

S^r Edwin Sandys signified vnto this Courte that my Lo: of South-
ampton vppon some important occasions could not be present this
afternoone butt had all that parte of the day for many howers to-
gether taken extraordinary paines in a buisines that concerned them

S^r Edwin Sandys
report y^e my Lo:
of Southampton
cannot be now
present.

very much wherof they should afterward have a good Account as-soone as they hadd further pceeded therin and brought the same to some better issue.

A Certificate received of y^e saffe arivall of all y^e Ships.

Hee further signified that they had received further certificate of the saffe Arivall of all their Ships sent the last Springe, as namely the Frauncis Bona Venture wth all their people save one, the Tryall and Faulcon wth all their Passengers the London Marchaunt with all hers the Duty with all save one, And soe likewise the Swann of Barnstable, butt the Ionathan in her tedious passage of 200 had lost 16: Soe that by this last supply they had landed in Virginia in all well neere the number of 800: persons for w^{ch} greate blessinge (wth the loss of soe fewe) hee rendred vnto the almightie all possible thank^e. [176]

A supposiçon of a mistake in settinge an order for y^e Summe of Iland^e Company.

Wheras itt was conceived that ther was a mistake in settinge downe an order of the Summer Iland^e Company att the laste Courte by incertinge a Prouiso to exclude such from haveinge 100 Acres p Share as shall not pay in their monny ratably accordinge to subscrip-
 çon by the settinge outt of the first Voyadge that the Adventurers shall agree vppon for the advanceinge of that Plantaçon, Itt was now desyred that the said clause might still stand in force least otherwise those that did drawe backe after others had discovered the Countrie might against all reason challenge as great an interest as they y^t had beene att all the charge and Coste, for w^{ch} consideraçon itt was agreed and ordered that the said clause should still remayne in force.

The Clause to stand.

Ga: Wisher desire to haue his Ma^{ty} Ires to y^e Kinge of Sweadland for pcuringe of men.

Gabriell Wisher haveinge presented himselfe vnto the Courte with offer of his service for procuringe of men skillfull in divers Comodities out of Sweadland and Poland att an easie charge soe hee might have his Ma^{ty}: Ires to the Kinge of Sweadland to that purpose itt was aunswered that they held itt vnfit to trouble his Ma^{ty} wth soe meane a sute; And for as much as they conceaved that the Charge of procureinge men that way howe gainefully soever would be too great and to high a rate for them, resolved therfore to take some other Course by recommendinge the care herof to some Marchant^e tradinge into those pts who might provide them wth a farr less charge, In the the meane time the Company would content themselvs wth those

they hadd allredie in Virginia whome they would supply wth more helpinge hands, which was the thinge they cheiflie desyred.

M^r Deputie signified that itt pleased my Lord of Southamptō to write verie effectually to the Lord Maior of the Cittie for a certaine number of Children as was desyred by a former order of Courte: And therefore moved that a Committee might be appoynted to sollicite the Lord Maior for aunswere of the said Ire for w^{ch} purpose the Courte nominated these followinge, vizd^t: m^r Smith, m^r Swinhoe m^r Casswell, m^r Chambers, and m^r Palmer.

A Committee to sollicite y^e Lord Maior for aunswere of ye Ire sent to him by my Lo: of Southton

M^r Doctor Bohune haveinge desyred y^t hee might be a Phisition generall for the Company accordinge to such Condiçons as were formerly sett downe by way of Articles vnto which place [177] they had alotted five hundred Acres of Land and twenty Tennants to be placed ther vppon att the Companies charge. The Courte was pleased to accept of his humble sute for that place & imployment and therfore ordered that hee should have tenn men provided forth with to goe now with him, and tenn more should be sent in this next springe w^{ch} should be transported att the Companies charge and furnished as other of the Tennant^e be, Provided that xx^{tie} Teñnt^e beinge thereon established and made good for one whole year after their landinge, the said Doctor Bohune do after if any of them Dye coveñnt to supply and maynteyne from time to time vppon the said Land, And att his decease or otherwise surrender of the said place, leave the like number of men and Stock of Cattle as are by order of Courte to the said Office allowed and appoynted. And as for other pticula^r touchinge his Contract wth the Company the Courte hath referred him to the Committees who are desyred to treate and conclude wth him aboute the same.

D^r Bohune Phisitian for y^e generall Company.

M^r Deputy signified that hee had receaved good store of Silkworme seed both out of Fraunce, Italy, and Spaine, and doubted not of much more verie shortlie, soe that their greatest want was of men skillfull in the orderinge of them, wherof they hadd some hope err longe to procure some out of Fraunce by the help of m^r Chamberline a man very carefull in y^t buisines In the meane time hee acquainted the Courte wth one y^t m^r Darnelly had pcured for them beinge the servant of m^r

Silkwormes brought out of Fraunce. Cr.

m^r Iasper Stallenge seruant to goe to Virg: for breeding y^e Wormes.

xx^{li} to be giuen to his m^r:

The first parte of y^e French book all most finished.

y^e Olde Planters y^e hadd exceeded others in buildinge of fitt roomes for Silk wormes C^t. to haue the first choyce of Appren:

The Company here for y^e charge they shalbe at in furnishing them out shalbe repayd by their m^{rs} in Corne C^t

Iespar Stallenge who had these five years togeather been brought vp in tendinge of the King^e Silkewormes vnder his said m^r: wherby hee was become very skillfull in breedinge of the wormes and in wyndinge of their Silke, and was allso a good Gardner and that his said m^r was verie willinge that hee should goe to Virginnia to be employed in the service of the Comp^a: for three years (w^{ch} time hee had yett to serve of his Apprentiship) vppon Condiçon that the Company would please in Consideraçon of his said time to give his said m^r xx^{li} w^{ch} offer the Courte thought verie reasonable [178] and beinge putt to the question was generally assented vnto Provided that in those three years hee would vndertake to instruct others that should learne of him sufficiently in the premises.

Hee further signified that the first pt of the french Booke concerninge the makinge of fitt roomes to keepe Silkwormes and the manner of plantinge Mulberie Trees to feed was now allmost fynished as likewise the valuaçon of the seuerall Comodities to be had in Virginia ordered heretofore to be affixed vnto the saide booke would in few daies be together ready to be printed.¹

Itt was moved that for the better encourragm^t of such of the old Plante^{rs} as had exceeded others in buildinge of fitt houses for Silkwormes and in plantinge Mulberie Trees and Vynes accordinge to a former dyrecõn in that behalfe, might have the advantage before others in the first and best choyce of such Apprentizes as should shortlie be sent vnto them the rather to stirr vpp others hereby to contend for the like favour & reward hereafter, and for recompence of the great charge the Company here shall be att to furnish the said Apprentices well in deed, and for sendinge them ouer to the Planters, Itt was likewise moved that their Maisters might be enioyned to repay them againe within one yeare² (no whitt in tobacco) but in a good quantity of Corne, Silke, Silkgrasse and other such Comodities and that at the same rates, as were perticularly sett doune vnto them in a booke conteyninge their severall valuaçons. And that signification hereof might be given in the Counsell's letters to the Gouverno^r, wth

¹ These two printed books are mentioned in the List of Records, Nos. 150 and 151, page 138, ante.

² At this point in the manuscript the writing changes to that of a third copyist, as yet unidentified. For an example of the chirography, see Plate —.

further intimaçon of a Charter intended to be passed att the next Quart^r Court to that effect: w^{ch} proposiçons the Court did generally agree vnto and ordered for performance of the same accordingly.

S^r Edwin Sandys moved, that whereas the bringing over of Sassaphras in so great aboundance, had brought the price thereof to so lowe a rate, as it was now worth little; ffor remeady whereof [() if the Court so thought fitt) they would make an offer to the Company in Virginia to compound wth them for the same: w^{ch} being brought over in a lesse quantity and all into one warehouse might be araysed to a better value, whereof the benefitt should be duely answeared to them againe [*in*] ordinance Powder Shott, and other such munition, for their better [179] Strength and safety: And that they would signifie so much in y^e Counsell^s letter to the Gouvernor w^{ch} motion was well approved of, and therevpon it was ordered that it might be effected accordingly.

S^r Edwin Sandys
moçon for bring-
ing ou⁹ of Sassa-
phras

It was likewise moved that some might be appointed to drawe the said Counsell^s letter vnto the Gouverno^r w^{ch} was to goe wth the Shippe now bound for Virginia: wherevpon the Courte entreated S^r Edwin Sandys to take some paines therein as he had often formerly donne in the like kinde at w^{ch} request he was pleased to vndertake the dispatch thereof.

S^r Edwin Sandys
desired to drawe
y^e Generall fre.

Captaine Roger Smith being desirous to goe this present voyage to Virginia, moved that he might have the charge of some of those people that were now sent to sbeş the Companies Tenant^l. And further that the Company would please to bestowe vpon him some meanes to make him the better fitt for the said voyadge: ffor asmuch therefore as the said Captaine Smith was recomended to be a gentleman very sufficient for that imployment, and in regard of his good experience already (havings been heretofore in Virginia about some three yeares) might thereby doe the Company great service: The Court was pleased for his better encouragement to giue him 30^{li}: freely to furnishe him wth necessaries and ordered that he should have the comãd of 50 persons nowe transported to be Tenant^l vpon the Companies land.

Capt Roger Smith
to haue 30^{li}: & y^e
Comaund of 50
persons vnder him

Capt Smith^e mo-
tion for a younge
Scholler desirous
to goe to Virg: The said Captaine Smith further moved in the behallf of a younge Scholler desirous to goe wth him this present voyadge that he might be admitted preacher to the people now sent: The Courte herevpon agreed to give him a text to preach vpon about a fortnight hence in the handling whereof if they found him a sufficient Scholler, he should be entertayned accordingly.

Capt Maddison to
be treated wth by
the Comittees. Captain Maddison having been heretofore twelue yeares together in Virginia, and there imployed by S^r Thomas Dale (the Gouverno^r) in discovering the said Countrey and severall Rivers therein: did nowe petiçon that he might retourne to the Colony and proceed in a further discovering of Comodious places for habitaçon wthin the Land The Court herevpon ordered that he should be treated wth by the Comittees both for the manner of his discovery as also to make it to appeare what the Charge thereof wilbe vnto the Company.¹ [180]

Capt: Somers^e re-
quest. A motion beinge made on the behaife of Captaine Somers for confirminge vnto him such lands as was due vnto his vncle S^r George Sumers for his adventure w^{ch} appeared by Account^e to be 470^{li}: and whereas further also, there was demaunded a proporcion of land for the personall adventure of the said George Sumers and in requitall of his other good service: To the first request the Court made answeare that it could not be denied him: but for the second it was not in the power of any other but a Quarter Court, to give any proporcion of land, vpon merite.

S^r Edwin Sandys
to giue his hand
for receipt^e of mon-
ey in my Lo: of
Southton^e ab-
sence. M^r Deputie signified that my lord of Southampton (being to goe out of Towne and like to be a long time absent) desired that S^r Edwin Sandys might be authorized by order of Courte to giue his hand for receipt^e of money to the vse of the Company: w^{ch} was generally assented vnto and ordered that wth their good approbaçon he should be herevnto authorised accordingly.

¹ Commissions from the Governor in Virginia to Captains Smith and Madison are given in List of Records, Nos. 310, 314 and 374, pages 154, 155 and 161, *ante*.

A PREPARATIVE COURT HELD THE 29 IANUA:

PRESENT

the right hono^{ble}:

Earle of Southampton.
Lo: Cauendish.
Lo: Pagett.
S^r Edward Sackuill.

S^r Edwin Sandys.
S^r Iohn Dauers.
S^r ffran: Wyate.
S^r Walter Earle.

m^r Deputy fferrar.
m^r Gibbe.
m^r Wroth.
m^r Earle.
m^r Geo: Sandys.
m^r Docto^r Anthony.
m^r Sheppard.
m^r Bromefeild.

m^r Zouch.
m^r Tucker.
m^r Tomlinē.
m^r Smyth.
m^r Nicho: fferrar.
m^r Ditchfeild.
m^r Seaward.
m^r Wheately.

m^r Bearblock.
m^r Casewell.
m^r Mellinge.
m^r Cuffe.
m^r Combe.
m^r Baynham.
m^r Wyddowes.
m^r Sparrowe.
m^r Newporte.
m^r Kightley.
wth divers others.

My lo: of Southampton signified vnto this Court that for so much as the time of S^r George Yeardleys Comission of Gouvernorshipp would ere longe be expired, beinge to continue but till November next: It was therfore expedient nowe at this Quarter Court (in respect of the shortnes of the time) either to confirme S^r Geo: Yeardly againe in his said [181] office by a newe eleccon: or to proceed to the choice of some other fitt person of qualitie to succeed him, who might be prepared to goe to Virginia by Iuly next at the farthest w^{ch} later Course his Lo^p did the rather encline vnto, because he had receaved advertisement of S^r George Yeardly importuninge desire to relinquish his

My lo: of Southampton moved either to confirme S^r Geo: Yeardley in his former place or to chuse another in his steed.

said office at the expiraçon of his said Comission, in reguard he had soe longe a time togeather (nowe allmost three yeares) attended wholly vpon the publique service.

S^r ffrancis Wyate com-
ended by his Lo^p
for the place of
Gouerno^r.

His Lo^p: therfore proposed vnto the Company a gentleman recom-
ended vnto him for his many good partℓ (namely S^r ffrancis Wyatt)
who was well reputed of, both in respect of his parentage, good edu-
cation, integritie of life and faire fortunes (being his ffathers eldest
Sonne) as also for his sufficiency otherwise, being deemed every way
wthout exception fittinge for this place who was likewise desirous to
take this charge vpon him if the Company would please to accept of
his willingnes to doe them service, Notwthstanding his Lo^p: praied
the Company not to neglect the nominaçon of some other if they
could thinke of any one or more sufficient persons of quality that
would willingly vndergoe this waightie burden of gouernment: who
might togeather with this gentleman aforementioned stand for the elec-
çon of §at§ the next Quarter Courte.

A Committee to ex-
amine y^e draft of
S^r Willm Mounson
Patent.

S^r Iohn Dauers moved that accordinge to a former order of Courte
and intimaçon by the Counsell's letters vnto the Gouerno^r of a Patent
intended to be granted to S^r W^m: Mounson and his Associate, of two
Comodities not yet discovered or planted by any other in Virginia:
for somuch as a draft of the said Patent was nowe made, he desired
a Co^mittee might be appointed to examine the same, and so put to
engrossinge to passe at this next Quarter Court wherevpon the
Court nominated a Committee for that purpose viz^t m^r Wroth, m^r Gibbe
m^r Deputy m^r Kightly & m^r Bearblock:

m^r George Sandys
.2. shares to S^r
ffrancis Weyn-
man.

M^r George Sandys havinge moved that he might passe ouer two
Shares of land vnto S^r ffrancis Wyneman w^{ch} were formerly assigned
vnto him by m^r Thomas Sandys, the Court was pleased to grant his
request.

S^r Rich: Bulkley
made a member of
y^e Comp:

S^r Edwin Sandys signified that S^r Richard Bulkly of Beamorris in
the County of Anglesy, desired to be a member of this Company, for
w^{ch} having payde in his 25^{li}: praide he might haue his bills of Adven-
ture vnder the Companies Seale w^{ch} the Court ordered should be
granted vnto him. [182]

A motion beinge made that m^r Woodall, might be warned in at this Quarter Court to answeare such scandalous speaches as he had formerly diuulged, in disgrace of the booke authorized by his Ma^{ties} Counsell for Virginia as like wise touchinge S^r Edwin Sandys according to a former order of Court, made the 18th of Iuly last. m^r Woodall to be warned.

M^r Caswell signified vnto his Lo^p: (as m^r Smith had formerly donne to the like effect), that it was the humble suite of the Company that it would please his Lo^p to acquaint them how farre they had pceeded in drawing vp the newe Patent w^{ch} was intended to be confirmed by Acte of Parliament the proceeding and good Successe whereof, would exceedingly animate and encourage all the adventurers, if they might be released of these late grant^{ts}, and from all Monopolies hereafter of the like nature. whereof his Lo^p promised they would have a speciall care, and happily be able at the next Court to giue them some accounte.

A GENERALL QUARTER COURT HELD FOR
VIRGINIA VLTIMO IANUARIJ 1620:

PRESENT

The right honorable Earle of Southampton.
Earle of Dorsett.
Earle of Deuonshire.
Lord Padgett.

S ^r Thomas ffinch.	S ^r Nicholas Tufton.	S ^r Walter Earle.
S ^r Iohn Dauers.	S ^r Willm Twisden.	S ^r ffrancis Wyate.
S ^r Robert Phillip.	S ^r Samuell Sandys.	S ^r ffrancis Wyneman.
m ^r Henry Mannering.	S ^r Edwyn Sandys.	m ^r Iohn Wroth.
S ^r Edward Lawly.	S ^r Phillip Carey.	m ^r Gibbe. [183]
Docto ^r Gulston.	m ^r Kightly.	m ^r Chamberlaine.
m ^r Deputy fferrar.	m ^r Iermyne.	m ^r Mellinge.
m ^r Bromfeild.	m ^r Steward.	m ^r Seaward.

m ^r Wrothsby.	m ^r Sheppard.	m ^r Bernard.
m ^r Geo: Sandys.	m ^r Cranmer.	m ^r Lawrence.
m ^r Robte Smith.	m ^r Scott.	m ^r Louer.
m ^r Linsey.	m ^r Nicho: fferrar.	m ^r Widdowes.
m ^r Palauacine.	m ^r Rugles.	m ^r Berblock.
m ^r Whitley.	m ^r Darnelly.	m ^r Casewell.
	m ^r Bland.	m ^r Swinho:
	m ^r Bull.	m ^r Chamberlen.
	m ^r Cartwright.	m ^r Couell.
	m ^r Edwardē.	w th divers others.

My Lo: signified of
his Ma^{ty}: gracious
answere to their
ire.

His Ma^{ty}: was will-
ing to renew their
Patent.

My Lord of Southampton signified vnto the Company that he had been mindefull of their former request, and for that cause had that morninge been wth my Lord of Doncaster, to sh^{ow} his Ma^{ty}: answeare concerninge their letter w^{ch} his Lop: had formerly presented to his Ma^{ty}: who reported that having the same day moved the kinge to that purpose: It pleased his Ma^{ty}: to say (having read the letter) that he found nothing therein w^{ch} might not in reason be granted: And therefore they should finde him ready to doe this Company all the favour and right they iustly could desire. And touching there request to renewe their Patent, his Ma^{ty}: was likewise pleased they should goe, to the drawinge vp of their booke being confident they would be carefull, to insert nothing therein that might be p^{re}iudiciall eyther to his power or proffitt: for w^{ch} cause his pleasure was that after they had finished the same, his learned Counsell might peruse it; w^{ch} afterward according to their owne desire might also be confirmed by Acte of Parliament ffor w^{ch} most gracious and Princely favo^r: extended towards them, the Court wth exceeding great ioye and comforte did generally testifie their infinite bounden thankfullnes vnto his Ma^{ty}: as likewise vnto his Lo^p: and that other noble Lord: who had togeather taken so great paines and Care in a buissines of so great importance and consequence vnto them all. [184]

S^r Willm Moun-
sons Patent read.

The drafte of S^r William Mounsons Patent and other his associate beinge nowe presented to the Court and read. The Court after a longe debating of some points therein conteyned w^{ch} were thought

not sufficiently explained and having also taken exception against some other parte thereof: at length ordered that for the better explayninge of their true meaninge and intent thereby, these Causions and lymitacons following should be inserted therein: recomēdinge the Care hereof to see it done to those former Comittees appointed to examine the same. viz^t.

Additions to be inserted.

1. To Lymitt the Comodities to two first and no other, that the Patentees shall discover and plant.

2. To add this Proviso in these words that the said two Comodities be none of those Comodities pertucularly named in a booke of the valuacon of the Comodities in Virginia lately published; nor of such other Comodities as the Governo^r and Counsell of Virginia shall have also excepted.

3. Thirdly that the Clause touchinge examimacon vpon oath be cleane left out.

4. ffourthly that there be an exception of all Mynes & Minneralls.

S^r Edwyn Sandys signified that my Lo: of Southampton being one of the greatest and most auncient Adventurors of this Company having now a desire wth the helpe and Assistance of some of his freind^e to vndertake and advance a perticular Plantacon in Virginia, to the number of 300 shares, moved that a Patent might be granted to his Lo^p: and order taken for some p^rparation in the meane tyme to be there made, for the better encouragem^t: of the Adventurors and setting forward of so noble a designe; w^{ch} mocon the Court generally condiscended vnto, as beinge willing to giue his Lo^p: all the hellpe and furtherance they could in an Action so full of hono^r: and ~~by~~ w^{ch} by example might [185] drawe on others, wth like resolucon to advance more perticuler Plantacons in Virginia and thereby in shorte tyme replenish that Country wth good multitudes of people.

A Patent granted to my Lo: of South-ton:

The Secretaries petiçon was referred to the Auditors and Comittees to be considered of who are desired to certifie what they shall thinke fitt to be donne therein.

The Secrē Petiçon referred.

m^r Markhams re-
ward respited.

The Auditors being put in mynde of m^r Markhams request for some allowance for his paines extraordinary in the Companies service. It was thought fitt to respitt his reward, vntill they had further pceeded in S^r Thomas Smiths Accounts, whereby his deserte that way would the better appeare.

My Lo: desired to
goe to the eleccon
of their Gouⁿno^r:

After these businesses were thus ordered: and the Court nowe full, my Lord of Southampton moved that if the Company so pleased they would now goe to the eleccon of their newe Gouerno^r of Virginia who was to succeed S^r George Yeardly after the expiration of his said Co^mission (w^{ch} is to determine in Nouemb: next, S^r George Yeardley having then allso a desire to release and disburden himsell of the said place of Gouernm^t.) The Court therfore proceeded having agreed to a present eleccon my Lo: prayed the Company that if according to his former admonition they had bethought themselues of any person of quality fitting for so eminent a place that would be willing to vnder- take the due managing thereof that they would now please to nomi- nate the man, who might be put to the ballating box to geather wth S^r ffrancis Wyate who was formerly proposed and recomended vnto them.¹

S^r ffrancis Wyate
chosen Gouernor

But no other person being so much as named and for that this gentle- man S^r ffrancis Wyate was both recomended and so well knowne, to be every way sufficient to take this charge vpon him, he was in this great and generall Quarter Courte wth the whole consent and appro- bacon of the same, (save two only² [186] whose balls were found in the negatiav box) chosen to be the successiue Gouerno^r: of Virginia

S^r ffrancis Wyate
acknowlegm^t of
thanks C^r.

after S^r George Yeardley: w^{ch} place S^r ffrancis Wyate having wth much thankfullnes accepted of, and with a free acknowledgment of his affeccion and resolucon constantly bent to doe the Company the best service he could in that place: It was likewise moued that for his better encouragement herein the Court would be pleased to bestowe another favo^r vpon him by admitting him one of his Ma^{ty}: Counsell here for Virginia w^{ch} mocon was thought very reasonable

S^r ffrancis Wyate
to be of y^e Coun-
sell.

¹ Letters from Sir George Yeardley to Sir Edwin Sandys, concerning his desire to be released from office, are mentioned in List of Records, Nos. 247 and 254, page 148, *ante*.

² Two blank pages in the manuscript, not numbered, were evidently unintentionally passed over by the copyist.

and was generally assented vnto, as being willing in point of hono^r: to enable and encourage him, the better to vndertake the said place of gouern^t: vpon him.

AN EXTRAORDINARY COURT HELD FOR VIRGINIA 22: FEBRUARIJ 1620:

PRESENT

S ^r Edwin Sandys.	m ^r Smith.	m ^r Whitly.
S ^r Iohn Dauers.	Captain Bargaue.	m ^r Palmer.
S ^r ffran: Wyate.	m ^r Iermin.	m ^r Widdowes.
m ^r Deputy.	m ^r Doctor Anthony.	m ^r Baynam.
m ^r Wroth.	m ^r George Sandys.	m ^r Edward℄.
m ^r Wrote.	m ^r Hicks.	m ^r Melling.
m ^r Gibb℄.	m ^r Nicho: fferrar.	m ^r Robert℄.
m ^r Sheppard.	m ^r Cranmer.	m ^r Viner.
m ^r Casewell.	m ^r Beareblock.	m ^r Smith.
		m ^r Chamberlen.
		w th diuers others.

S^r Edwin Sandys signified vnto the Company that my Lord of South-
ampton by reason of this buissy time of Parliam^t: could not be spared
to be here at this present meetinge; and therfore desired to be
excused, he further acquainted them, that the occasion of their being
assembled this day, was to let them knowe, howe carefull he had
been, in the drawing vp of their newe Patent, nowe presented to be
read vnto them, [187] wherein he reported, what extraordinary
paines he had taken, aswell to amend in this newe draft, the defect℄
he had noted in all the former Patent℄, also to supply out of them,
and other President℄ of like nature, what he in his owne experience
and iudgement had observed to be necessary for them, as also he had
not omitted to inserte therein, such necessary cautions, as would
hereafter secure and save them harmeles, against any Proclamation
or Patent, that might (as heretofore) be procured to their preiudice,
the same being once passed vnder the Seale and confirmed by Act of
Parliament. But before the reading of this Newe Patent, he desired

My Lo: of South-
tons absence de-
sired to be ex-
cused.

S^r Edwin Sandys
declaracon of
drawing vp y^e new
Patent

to acquainte them wth some altera^{co}ns he had made therein, differing from the former Patent^e, especially in two point^e namely in the head, and in the body thereof. ffirst in the head, That whereas in the former Patent^e their cheife officers were called by the name of Treasurer he had in this given him a more eminent title, by styling him their Gouverno^r: because the name Treasurer seemed to imploy an inferio^r officer and one that was to be an Accountant.

And because the Northerne Colony-Adventurors, had to their Territories given the name of New-England, he thought fitt that theirs did still retaine the ould name of Virginia. for by this meanes all Virginia should be theirs, for the body of this Patent, as namely in their new Incorpora^{co}n he said, he had likewise differed from the former in two point^e: first in the materiall parte thereof, by abridgeg the same, and restrayning it onely to such Adventurors and Planters as have at least one share of Land of 100 acres in Virginia C^r. In the formall parte thereof, as well to avoide the infinity of names by reason of the multitude of Adventurors (encreasing still more and more,) as for that many were already named in a former Patent he therfore thought good in this to name only the Lord^e of the higher howse of Parliament, and add therevnto these words comprehending in effect all the rest: viz: togeather wth all other [188] Adventurors and Planters in Virginia C^r. some other necessary altera^{co}ns and addi^{co}ns, he said he had made in some other parte of the said Patent, w^{ch} in the reading he would notifie vnto them desiringe their ~~attenta^{co}n~~ attencons to the reading thereof, and to giue their best advise about the same.

The Court continued Before the Patent was read through, because the Afternoone was farr spent it was vpon a motion agreed and ordered that the Court should continue till all buissinesses were ended.

A mo^{co}n of some of the Sum^er Ilands Comp^a: signifying y^e great losse they haue sustayned by y^e Late Proclama^{co}n C^r. It was also moved by some of the So^mer Ilands company that y^e Court would please to thinke of some Course that might be forthwth taken in hand either by peticoninge to his Ma^{tie}: or to the howse of Parliament, to declare thereby the great hinderance and losse that both the Planta^{co}ns had susteyned by the late Proclamation and Graunt of the sole importa^{co}n of Tobacco to certaine Patentees: As likewise vnder

coulo^r thereof: of their iniurious proceedings against both the Companies in that they have not onely stinted them, to too scant a pporcion but have also restrayned them from sellinge their Tobacco lately brought from the So^mer Ilands wthout their Seale & allowance first had for w^{ch} they were to pay for garblinge the same after the rate of fower pence p^h.

The Court therefore generally agreed to p^{re}fer a peti^{ti}on to the lower howse of Parliament in the name of the Company of Virginia being also members of the So^mer Ilands. And therein to complaine of the former greivances tendinge to the vtter destruc^{ti}on and overthrowe of both the said Planta^{ti}ons, whereof they doubted not but they should finde the like redresse as of many other monopolies of like nature which the lower house had called into question and by his Ma^{ty}: gra^{ti}ous p^{ro}mission intended vtterly to extinguish. [189]

A peti^{ti}on to be drawn to y^e lower house of Parliam^t.

It was therfore ordered that a Comittee should be appointed for drawing the said peti^{ti}on and for this purpose nominated S^r ffrancis Wyate m^r George Sandys and m^r Deputy fferrar who are desired to take some paines therein and to make it in substance agreeable to that w^{ch} S^r Edwyn Sandys had deliuered vnto them.

A Comittee for drawing y^e Peti^{ti}con.

The Patent being reade and put to the question to knowe whither they would have it so to passe or desired any thinge to be added therevnto, it was generally well approved of, and thought to be drawne fully and exactly, for w^{ch} the Company gave vnto S^r Edwyn Sandys many deserved thank^{es} for his great paines taken therein.

The Patent approved of

Herevpon m^r Wrote tooke occasion to pray the Court, to take into considera^{ti}on such suit^{es} as now depend betweene the Company and any person, being heretofore com^{en}ced in the name of the Treasurer and company (w^{ch} by this newe Patent was hereafter to be called the Gouernor and Company) were not so concluded, as they must of necessity be inforced to begin their suit^{es} anewe: wherevnto answeare was made that this change of Title could be no preiudice at all to any such suites considering the former Patent^{es} should not be surrendred but remaine still in force.

m^r Wrote mo^{ti}on conc^{er}ning such suites as depend between the Company & any other person C^r.

The LL^{ts}: desired
to procure his
Ma^{ty}: warrant to
m^r Solicitor.

S^r Edwyn Sandys havinge moved that some might be appointed to sollicite the dispatch of this newe Patent vnder Seale and to procure the king^e warrant to m^r Solicitor to make the same ready for his Ma^{ty}: signature It was desired that the lord^e might be intreated on the behallf of the Company to take that paines to procure the said warrant and to hasten the dispatch thereof wth some expediçon. [190]

A Comittee to pe-
ruse Capt Bar-
graues treatise.

Captaine Bargraue havinge presented a treatise w^{ch} he had made concerning the gouernment of Virginia moved, that a Comittee might be appointed to peruse the same wherevpon the Court nominated S^r Edward Sackuill S^r ffrancis Wyate m^r Gibbs m^r Wrote m^r Deputy m^r George Sandys Captain Masters Captain Bingham m^r Nicholas fferrar and m^r Rugles who are desired to meete vpon monday the 26: of this present moneth to consider thereof and to certifie at their next Court their opinions touching the same.

AT A COURT HELD FOR VIRGINIA THE
12 OF APRILL 1621:

PRESENT.

The right hono^{ble} The Ea: of Huntingdon.
The Ea: of Southampton.
S^r Edwyn Sandys.
S^r Iohn Dauers.
S^r Iohn Wolstenholme.
S^r ffrāncis Wyate.
S^r Iohn Brookes.
S^r Walter Earle.

m ^r Gibbs.	m ^r Rogers.	m ^r Bennett.	m ^r Baynam.
m ^r Deputy.	m ^r Berblock.	m ^r Iadwin.	m ^r Hackett.
m ^r Phil: Iermyn.	m ^r Sheppard.	m ^r Hamor.	m ^r Newport.
m ^r Chris: Earle.	m ^r Cranmer.	m ^r Tucker.	m ^r Ewen.
Capt: Bargraue.	m ^r Boothby.	m ^r Coombs.	m ^r Viner.

Docto ^r : Wynston.	m ^r Palavacin.	m ^r Peirce.	m ^r Cuff.
m ^r Iohn Smyth.	m ^r Smith.	m ^r Barbor.	m ^r Canninge.
m ^r Moone.	m ^r Leauer.	m ^r Widdowes.	m ^r Woodall.
m ^r Keightly.	m ^r Bull.	m ^r Meuerell.	

S^r Edwyn Sandys being desired to make reporte what had ben done concⁿing the newe Patent, signified vnto the Company, that whereas the Lo: Viscōnt Doncaster had form^{ly} p^sented a letter from the Counsell to the kinge, wherein among other things they did humbly entreate his Ma^{ty}: most gra^cous favour, to renewe [191] their Patent, and that the same might be allso confirmed by Acte of Parliamēt, the better to strengthen the Plantation in generall by engaging of the whole State in the interest and support of the Action: It pleased his Ma^{ty}: to signifye his graceous pleasure by my Lord of Doncaster to m^r Attorney generall for drawinge vp the same: To w^{ch} end he said, that he and m^r Herbert and m^r Deputy had attended m^r Atturney about the same, presenting him the drafte w^{ch} had formerly been read here in Courte: and having acquainted him, wth the order he had vsed throughout the said booke by reducing it into three head^e viz^t. the first contayning such y^munities as had been graunted in their former Patent^e, the second some addi^cions as they had taken out of the So^mer Ilands Patent, the third such newe clauses as tyme & experience had taught, to be necessary for them: wherevnto he added likewise a fourth w^{ch} was the amplifyinge and enlarging some neces^sarie point^e as were in generall word^e employed in their former Graunt^e. In reading whereof m^r Attorney well obserued that their newe Incorporation differing in name from the old (the T^rer beinge in this called by the name of Gouverno^r:) was not warrantable in lawe in that manner as they had drawne it, wthout surrender of the form⁹ Patent^e, for that it did thereby imploy two distinct Corpora^cions: But this point m^r Atturney vnderooke to amend by altering the forme, and framing it another way: But as for such new clauses & addi^cions w^{ch} they had made, m^r Attorney desired he might have a speciall warrant from his Ma^{ty}: to that effect: To w^{ch} purpose S^r Edwyn Sandys said there was nowe a peti^cion drawne to be exhibited to his Ma^{ty}: for procuring a reference to such of his Highnes most hono^{ble}:

S^r Edwyn Sandys
report of what had
been done about
the new Patent.

priuy Counsell as it should please his Ma^{tie}: to assigne, to take consideraçon of those newe clauses w^{ch} they desired to be inserted in their Patent w^{ch} petiçon my Lo: of Doncaster out of a noble desire to farther all occasions tendinge to the good of the Plantaçon was pleased to vndertake to present vnto his Ma^{tie}: and to sollicite for answeare touching their request. [192]

m^r Edward Bennett made free.

S^r Edwyn Sandys moved that in regard m^r Edward Bennett a Cittizen had so well deserved of this Company by a treatise w^{ch} he made touching the inconvenience that the importaçon of Tobacco out of Spaine had brought into this land: and by his often attendance vpon the Comittees of the lower howse of Co^mons about the same, (who were well inclyned to afford their best assistance for prohibiting the bringing in of Spanish Tobacco) that therfore he might haue the favo^r to be admitted a free member of the Company w^{ch} mo^oon was thought very reasonable and being put to the question was generally assented vnto and confirmed by erec^on of hand^e.

Capt Willm Newce offer to transport 1000 persons

Whereas Captaine William Newce out of a generous disposiçon and desire to advance the generall Plantaçon in Virginia (being induced herevnto by reason of a good successe he had in Ireland vpon the like worthy Action) hath freely offered vnto the Company to transport at his owne cost^e and charges 1000 persons into Virginia betwixt this and midsomer 1625: to be there planted and imployed vpon a perticular Plantaçon: and intendeth to goe over himsellfe in person, the better to direct and gouerne his owne people over whome he prayes, he may be appointed their Generall and to that end desireth a Patent wth that propor^on of land, and wth such large and ample priuiledges besides, as are vsually graunted to others in ~~that~~ ||the like|| kind. And further aswell in consideraçon of the Chargeableness, of the enterprise he vndertakes, as also for his better encouragem^t therevnto, he desireth the Company would ||please|| graunt him the place of Marshall in Virginia, which office he affecteth the [193] rather, because he hath ever been exercised in Military affaires and Armes, (as may appeare by his many worthy services performed in Ireland, well knowne to diuers hono^{ble}: persons of this kingdome, who have testified the same sufficiently vpon their owne knowledge to his exceedinge

his request for a Patent.

his request for y^e place of Marshall in Virginia

great Comēdaçōn): And desires likewise that he may be allowed 50: men to be placed as Tenant℥ vpon the land℥ to be allotted vnto the said office, w^{ch} he vndertakes to transporte and furnish wth apparell and necessary implement℥ for 8^u: the pson charge vnto the Company (whereof the Moytie he desires present payment) w^{ch} persons beinge there arryved he will maintaine and vphould at his owne charge from tyme to tyme duringe his continuance in the said office: The Court havinge therefore duely considered of his proposiçōns (concerning w^{ch} the Counsell had also treated wth him formerly) were pleased to giue order that a Patent should be drawne for him, as ample as any other, wth all manner of priuiledges, saving the Tytle of Generall, w^{ch} they could not graunt him, because it was a tytle properly belonging to the Gouverno^r only.

A Patent graunted him

And forasmuch as Captaine Newce hath given so large a testimony of his experience and skill in Marshall discipline wherein he hath bene exercised and imployed a long tyme, vpon many seruices in Ireland, as allso in matters of fortificaçōn and other warlike experiment℥ no whitt inferio^r to any (as hath been also testified) and for that he hath also promised to imploy his best endeavo^{rs} and service, to the good of that Plantaçōn (w^{ch} is like to proue a matter of great consequence vnto it) in consideraçōn whereof although there be no present necessity or vse of such an officer in Virginia (in regard of the perpetuall league lately made betweene the Gouvernor there and the Indyan Kinge) yet to gratifie his worthy vndertakinge [194] the Company are pleased to grant him the said place of Marshall, wth 50: men to be his Tenant℥. And if the State of their Cash (w^{ch} the Adventurors are now desired to examine,) will pmitt, they will pay him in hand one Moytie of the money that he desires, and the other Moytie vpon Certificate from the Gouverno^r of his arrivall in Virginia: As for other condiçōns of the Contract to be made betweene the Company and him: It is agreed and ordered that y^e generall Committees assisted wth some of the Counsell hereafter named, shall further treate and conclude wth him about y^e same, touchinge all perticularities whatsoeuer, and to this end are desired to meete at S^r Edwyn Sandys house vpon Saturday being the 14th of this present Moneth.

The place of Marshall graunted to S^r Willm Newce.

50: men to be allowed him.

A Committee appointed to treate wth him.

Counsell.

The names of those of	S ^r Edwyn Sandys.	m ^r Iermin.
y ^e Counsell that are	S ^r Iohn Dauers.	m ^r Wrote.
desired to assist the	m ^r Sheppard.	m ^r Doc: Winston.
Comittees are these	m ^r Deputy.	m ^r Keightley.
vizt.	m ^r Gibbs.	

The names of the generall Comittees are these vizt.

Comittees.

m ^r Cranmer.	m ^r Barnard.	m ^r Bland.
m ^r Bearblocke.	m ^r Boothby.	m ^r Wiseman.
m ^r Bull.	m ^r Nich: fferrar.	m ^r Chambers.
m ^r Geo: Smith.	m ^r Iones.	m ^r Wheatley.
m ^r Casewell.	m ^r Clarke.	m ^r Darnelly.
m ^r Melling.		

My La: Berkly admitted to be free.

M^r Smith signified vnto the Company that my Lady Berkley out of a desire to be a member of so hono^{ble}: a Company and to giue some furtherance to so hopefull a Plantacon was pleased to offer her self to come in vpon one share of land nowe at first for w^{ch} shee would pay in her 12th 10^s. And therfore [195] moved her la^p: might be admitted into this Society: which mocon was thought very reasonable and was generally assented vnto.

m^r Oulsworth to be one of y^e Counsell of State in Virginia.

He likewise moued that in regard m^r Oulsworth (now in Virginia) when he was in England lyved in that reputacon and Creditt as befitted a gentleman of his ranke and quality being a Iustice of peace and of the Quorum; and that in respect of his worth and sufficiency he might be admitted one of the Counsell of State in Virginia, w^{ch} mocon was also conceaved to be very reasonable, and therfore ordered that it should be moued in a Quarter Courte; And besides some place should be thought vpon for him suitable to his personall merritt and worth.

The Comittees to consider of the charge C^r y^t is to be provided for S^r ffra: Wyate.

S^r Edwyn Sandys moved that for so much as S^r ffrauncis Wyate, is by a generall eleccon appointed to succeed S^r George Yeardley in the place of Gouverno^r over the Colony in Virginia; whose Comission determines in Novemb: next: That therfore the generall Comittees, assisted wth

those of the Counsell, formerly named, might consider, both what charges and what Company, and other preparacions shall be fitt and necessary to be provided for a man of his quality and place, whereby S^r ffrauncis Wyate may the better vnderstand howe to accomodate himsellf against his goinge: w^{ch} mo^{on} was thought very important and therefore the Court ordered it, to be referred to the Comittees formerly nominated.

Captain Mathewe Somer^e peti^{on} is referred to the examina^{on} of the said Comittees before whome he is required to make it appeare what was due vnto his Vncle S^r George Somers as likewise y^e iustnes of his Clayme therevnto in the right of his said vncle now deceased whose heire he pretendeth himself to be. [196]

Capt. Somer^e peti^{on} referred.

S^r Edwyn Sandys moved, that for somuch as S^r Richard Bulkley having purchased two shares of land for w^{ch} he had paid in his 25^{li}: intended nowe to make a perticular Planta^{on} in Virginia, and to send over 100 psons at his owne Charge: moued that he might for that purpose have a Patent graunted vnto him: w^{ch} mo^{on} was accordingly assented vnto.

A Patent to S^r Rich: Buckley.

S^r Edwyn Sandys signified that there was one (vnknowne to him by face) was nowe in hand wth an excellent Tretise consisting of these five speciall head^e Defence, Plentie Health, Trade and Manners, all tendinge to the reforma^{on} of the Colony in Virginia, and the future advancement of the generall Planta^{on}: moved therefore that the Court would be pleased to make request, that the said Treatise might be perfected against the next meetinge: Wherevpon the Court entreated the same might be ready against that tyme.

The treatise of defence Health Cr. to be ready ag^t: y^e next meeting.

It was likewise moved that for somuch as there hath hetherto been observed so great neglect and remisseness in the Gouverno^{rs}: of Virginia, from tyme to tyme (to the infinite preiudice of that Planta^{on}) in that they haue not duely performed those direc^{ons}, which haue from hence been Comended, to their care and execu^{on}, whereby little or nothings hath been effected, answeareable to the great care and charge the Company haue been at, for planting good and staple Comodities

The neglect in the Gouverno^{rs} for planting of Staple Comodities.

An officer to be
sent in y^e quality
of a Treasurer

in that Country, to the great scandall of the gouernment there, and noe lesse discouragement of the Adventurors here, that for reformation hereof such an [197] officer may be chosen, to be sent thither, who might in the qualitie of a Treasurer not onely to take into his p^ticular charge the Rent^e and duties of what kind soever, belonging to the Company here (there being at this instant aboute 1000^{li}: due vnto them) but also take into his speciall reguard and care, (as principally recom^m-ended to his peculiar Charge onely and for w^{ch} a good Ac^count wilbe expected) to see those direcons and com^aundement^e w^{ch} he shall receaue from hence, duely and faithfully executed from time to time or otherwise to render a sufficient reason to the Contrary whereby the Company hereafter may be better informed and satisfied in the proceed of their buissines and affaires in Virginia: w^{ch} mo^oon the Court greatly applauding, as that w^{ch} carried wth it the greatest consequence, and being desirous that such an important officer, might be forthwth thought vpon:

m^r George Sandys
named for Treas-
uro^r.

It pleased my Lo: of Southampton to propose a gentleman, well knowne vnto them all, as a man very fitt to take that charge vpon him namely m^r George Sandys who indeed was generally so well reputed of, for his approued fidelity sufficiency and integrity: as they conceaved a fitter man could not be chosen for that place and there- vpon agreed to his elec^con; referring him to the former Comittees to be further treated and concluded with concerning the same.

m^r Smith^e mocon
touching y^e newe
Patent.

Herevpon, and vpon declara^con of the State of the newe Patent made by S^r Edwin Sandys, m^r Smith tooke occasion, first to p^test that his eye, in that he had to speake, reflected not either vpon y^e person of the nowe Gouerno^r: in Virginia, or vpon the new Gouerno^r here in Court, or vpon any other in p^ticular but for the generall hono^r: and welfare of the Plantation, was to entreat of my lord of Southampton & the Counsell: that in the said Patent (if no such [198] addi^con of power were therein inserted) authority might be given to the quarter Court^e, to question the Gouerno^r of Virginia here in England if the ill merritt of his government should so deserve, and to puⁿish him by fyne or otherwise. ffor he could not but declare that not

y^t y^e Gouerno^r of
Virginia may be
questioned in Eng:
C^r

publicum but priuatum com̄odum did seeme to have ben their endē of effecting that place: for his private letters (whereof he had at tymes receaved aboue forty) did as he thought truely informe: That no direcōns or instrucōns (which wth singler wisdomē dilligence and care) had from tyme to tyme issued from the Treasuro^r: and Counsell here; had been put by them in execuōn to the losse of many mens lives there, to the hinderance & scandall of the whole Plantaōn and to the disesteeme and slightinge of the psons of the Treasurer and Counsell here, and the authoritie of the whole Court, w^{ch} he onely presumed to com̄end to their consideraōns. But herevnto answeare was made y^t it was the opinion of m^r Attorney generall vpon a smaler matter in their newe Patent then this was (namely the punishment of labourers artificers and such like offenders) that he feared, it would have much adoe to passe wth such a clause the house of Parliam^t. And besides they had already power in their said Patent to displace the Gouvernor vpon iust occasions: which was conceaved to be as much as would be graunted vnto them by Acte of Parliament touching that point.¹

The opinion of m^r
AttorneyGenerall.

Power to displace
y^e Gou^ono^r.

M^r Smith likewise moved: That for so much as y^e lottaries were now suspended, which hetherto had continued the reall and substantiall food, by which Virginia hath been nourished: [199] That insteade thereof, shee might be now preserued, by divulginge fame and good report, as shee and her worthy Vndertakers did well deserue, declaring that it could not but much advance the Plantaōn in the popular opinion of the Com̄on Subiectē, to have a faire & perspicuous history, compiled of that Country, from her first discouery to this day: And to haue the memory and fame of many of her worthies ||though they be dead to liue and be transmitted to all posterities||: As namely S^r Thomas Dale S^r George So^mers S^r Walter Rawleigh the Lo: Delawarr S^r: Thomas Gates and divers others wherevnto were it not for suspition of flattery he would wish also the names of many her other worthies yet livinge and some of them now present in Court, might have also their hono^{ble}: and good deservingē com̄ended to eternall thankefullnes, for that our inhabilities had as yet no trewer Coyne,

m^r Smiths Moōn
for a faire history
to be put out in
Print C^r.

¹ This is the last mention of the new patent. See Introduction, page 102, *ante*.

wherewith to recompence their paines and merrite, affirming also, that the best now planted part℄ of America, vnd^r the Spanish government nor their Annales or histories of those times, in their like ages of ours nowe 12 yeares old Virginia afforded better matter of relaçon then Virginia hath donn; and doth, which what effect such a generall history (deduced to the life to this yeare) would worke throughout the Kingdome with the generall and coñon Subiect, may be gathered by the little Pamphlett℄ or declaraçons lately printed: And besides fewe succeedinge yeares would soone consume the lives of many whose livinge memories yet retayned much and devoured those letters & intelligences which yet remaine in loose and neglected papers: for w^{ch} boldnes in mouinge hereof he prayed his Lo^{ps}: pardon, ledd herevnto vpon the request of some of his fellowes of the Generallity. [200]

w^{ch} worthy speach had of the whole Court a very great applause as spoken freely to a speciall purpose and therefore thought fitt to be considered of and put in practise in his due time. And for w^{ch} also, m^r Smyth (as preferring alwaies moçons of speciall consequence) was exceedingly comēded.¹

A PRÆPARATIVE COURT FOR VIRGINIA
30: APRILIS 1621:

PRESENT:

S ^r Iohn Dauers.	m ^r Bland.	m ^r Melling.
S ^r ffrāncis Wyate.	m ^r Henry Rainsford.	m ^r Geo: Smith.
S ^r Henry Raynsford.	m ^r Edw: Gibb℄.	m ^r Meuerell.
m ^r Deputy.	m ^r Rogers.	m ^r Wale.
m ^r Gibb℄.	m ^r Cranmer.	m ^r Parker.
m ^r Wrote.	m ^r Challoner.	m ^r Nich: fferrar.

¹This book is not again referred to, but is doubtless John Smith's "The Generall Historie of Virginia."

Capt Newce.	m ^r Wheatly.	m ^r Rugles.
m ^r Geo: Sandys.	m ^r Boothby.	m ^r Widdowes.
Doctor Anthony.	m ^r Barbor.	m ^r Baynam.
m ^r Smith.	m ^r Couell.	m ^r Ewens.
m ^r Shepperd.	m ^r Combs.	
m ^r Steward.	m ^r Bull.	
Captain Tucker.	m ^r Casewell.	

Whereas it hath been taken into consideraçon howe importantly necessary it is to establish two such officers in Virginia as Marshall and Treasurer whereby the one might take into his care and charge aswell the fortificacon Armes and forces of the Colony there, and to cause the people to be duely trayned vp in military services and in the vse and order of Armes, and so from time to time to [201] mayntaine the greatest strength that may be against all forraigne invasions, And that the other, might not onely wth like care take into his Charge the Rente and debte that now and here after shalbe due vnto the Company (there being already aboue 1000^{li} to be answered vnto them) but further also see those direcçons that he shall receave from home for the setting forward all staple Cõmodities duely and faithfully executed from time to tyme (wherein a very great neglect hath hetherto been observed to the infinite preiudice of that Plantaçon) And for asmuch as Captain William Newce hath been specially recomēded vnto this Company by divers hono^{ble}: persons of this kingdome for his fidelity iudgement and sufficiency to vndertake and performe the said office and service of Marshall as having ever been exercised in military affaires and Armes: And for the said place of Treasurer because m^r Sandys was in like manner proposed whome all men conceaved to be every way sufficient, to take that charge vpon him: It was thought fitt and ordered that the generall Cõmittees, assisted wth some of the Counsell, should meete togeather and advise aswell for setling of the said offices and places and for accomodating them wth fitting allowances and people. As also to take the like care that the Newe Gouverno^r shortly to be sent be well provided and accomodated fitting for his place and quality, Wherevpon m^r

The officers of Marshall & Treasurer held very necessary.

Capt Newce for the place of Marshall.

m^r Sandys for y^e place of Treasurer.

The Generall Committees to advise for y^e setling of the said offices.

It was reported by Deputy desired S^r Iohn Dauers to deliver what had been donn by the
 S^r Io: Dauers y^t y^e Committees concerning the same who reported that they had taken
 Committees had great care and paines therein aswell to informe them sellves out of
 taken great paines other President^e what had been allowed in the like kinde as also of
 C^r the present State of the Cash what it was now able to performe.¹ [202]

Allowance for y^e And first for the place of Marshall the said Comittees haue allotted
 mayntefnce of y^e 1500: acres of land to be appropriated to that office for ever, And the
 place of Marshall. number of 50: psons to be placed as Tenant^e vpon the said land^e
 which the said Captain William Newce hath vndertaken wthin one
 yeare after his arrivall in Virginia to procure and place vpon the said
 land^e well furnished wthall thing^e necessary for the cultivatinge
 thereof and the same number to maintaine and keepe, and so to leave
 to his Successor. In considera^on whereof they have agreed to paye
 vnto him the said Captain Newce 200^{li}: in hand at the sealing of his
 Co^mission for that place and other 200^{li}: toward^e the discharge of his
 shipping and Marriners wages vpon their returne from Virginia, or
 in default thereof vpon Certificate of the landing of his people in
 Virginia.

Allowance for y^e And for the maintenance of the said Treasurer, the said Comittees
 maintenfce of y^e have likewise allotted 1500: acres of land perpetually to his office, and
 place of Treasurer. 50: men to be placed therevpon, in the quality of Teⁿant^e, whereof
 25 to be sent this yeare, to accompany the person of the said Treas-
 uror, and the other 25: the next yeare following: who is also to have
 the passage of his owne family (not exceeding the number of 10:
 psons) to be transported at the Comp^s charges: And toward furnish-
 inge of himsellfe for the voiage, according to former President^e in the
 like nature, they thought fitt to allowe 150^{li}.

Capt Thomas And concerning Captain Thomas Newce (the Companies deputy in
 Newce 10 persons. Virginia) aswell in discharge of a former pmise made vnto him as
 also to thend his reward might be no lesse then others whose paines
 and desert^e they doubted not but he would equall they have agreed to
 add 10: psons more (when the Comp: shalbe able) to make vp his
 former number 50. [203]

¹ The system of government for the colony is mentioned in List of Records, No. 261, page 149, *ante*.

The Comittees thought meete also, that for all officers thus settled, the same priviledges (graunted vnto the said Captaine Thomas Newce deputy) should in like sort be given viz^t: that whosoever for their sakes should bringe in any adventure of 12^{li} 10^s: the money so brought in, might be imployed for encreasing the numbers of men belonging to their places and likewise the halff of all such old debt[℥] due vnto the Company vpon subscrip^{co}n that shall be procured and brought in, by their meanes.

The Priviledges graunted to Capt. Tho: Newce to be likewise granted to these officers (viz^t) Cr.

And as touching the Gouverno^r: shortly to be sent: It was thought fitt to haue all necessaries in such readines as to have him shipped and be gon the Voyadge by the prime of Iuly and the men to be taken in, at the Ile of Wight.

The Gou⁹no^r to be gonn by Iuly.

ffor the more speedy effecting whereof, it is also agreed that the Comittees should be required to enquire out the Shipp meete for this intended voyadge.

The Comittees to enquire out a Shipp.

It was allso thought fitt by the said Co^mittees not to allowe y^e Gou⁹-no^r: lesse then two hundred pound[℥] for all necessary provisions to be made for his voyadge And to allowe him the transport of himself and such as shall attend him so as the number exceed[℥] not 20 psons.

200^{li} allowed by y^e Comittees to y^e Gou⁹no^r: & y^e transport of 20. persons.

All w^{ch} allowances the Court thought very reasonable and therefore recom^{me}nded them to the Confirmation of the Quarter Courte.

M^r Deputy signified that according to the direc^{co}ns of the former Co^mittees, they had made enquiry and had already found out a very good Shipp, called the George very fitting for their purpose w^{ch} m^r Wiseman offered vpon these Condi^{co}ns following viz^t y^t shee should carry no more then 80 men [204] and them at 6^{li} a man after w^{ch} rate he desires to have the whole payment in hand: he demands likewise for each tuⁿ of good[℥] 3^{li}: & to carry no more then may conveniently be stowed in the Hold, wthout pestering the decke. He hath promised likewise to allowe to every two Passengers one Chest, freight free: And further for his freight homeward[℥] he will take it as it falls out and offereth to bynde himselfe to bring the Companies Tobacco at 3^d the pound or otherwise to leave it, at their pleasure for the price and

The George found out by y^e Comittees.

m^r Wysemans offer.

whither they will accept to have it brought in his Shipp or no; w^{ch} m^r Ewens also agreed vnto, offring to carry their Tobacco as good Cheape as another, and otherwise they did not desire it.

The said offer recommended to the Quarter Court.

W^{ch} proposiçons the Court thought very reasonable and therfore recommended it to the Quarter Court, and wthall enioyned the said m^r Ewens, to haue his Shipp in a readines by the first of Iuly next, either at the Ile of Wight, or where the Comittees shall appointe, whome he is required to attend for that purpose.

S^r Iohn Dauers moçon for casting and alotting all y^e Gou^{no}^{rs} and other officers Teñant^l into y^e number of the Publique:

S^r Iohn Dauers delivered (and referred it to the Consideraçon of the Courte) a moçon that fell out to be made after the treaty of the Comittees concerning the former officers was concluded: w^{ch} was that in regard of the vsuall constituçon of men and land^l to belonge to every cheif officers place, and some reason & experience had found that the officers Teñant^l were cheifely regarded and the generall Companies Tenant^l the more neglected: it therfore might be fitting to cast and allott all the Gou^{no}^{rs} and other officers Teñant^l into the ñmber of the publique and out of [205] the whole proffitt^l belonging to the Company, and the said Gouverno^r: and other officers should have their p^{ts} proportionable to the number of Tenant^l appointed vnto them. By w^{ch} meanes there would be a more generall care for the advancing publique affaires and proffitt of the generall Company since all the officers interest and Comodity was therein imployed; which moçon being conceived an Innovaçon and to overthrowe thing^l already established was (as the case nowe stode) thought more likely to introduce a conceipt in the people of inconstancy of their governm^t: & consequently a discontent then such a due reformaçon as might be hoped. Nevertheles it was worthy consideraçon whither the Treasurers place and other hereafter to be established might not very fittingly be referred to receaue their proporçonable mayntenance from the proffitt^l of the publique Teñant^l since it was very probable that these officers so to be mayntained would imploy their owne care, and likewise by their dilligent watchfullnes enduce the former established officers, to bestowe their paines more fully and diligently for the raising of the Companies proffitt and not so much to intend their owne p^ticulers: w^{ch} moçon was thought fitt to be considered of hereafter.

M^r Wrote moved that for somuch as the Gouverno^r: hetherto as he had heard had not donn according to their instrucōns to cause their Tenant^ℓ to plant and bulde howses whereby they might haue a fixed place of abiding and subsistence that therefore the newe Gouverno^r and all others hereafter might be the more strictly dealt wthall, in their Instrucōns concerning that point whereby the Company may not be inforced hereafter at the seaven yeares end to send over fresh supplies of psons vpon a newe charge w^{ch} moōn was thought fitt to be recomended to the care and consideraōn of the Counsell and to insert that Prouiso in his Comission and Instrucōns.

m^r Wrote moōn of the neglect of Gou⁹nors in not buildinge howses. C^r.

Whereas in respect of the personall worth and meritt of m^r: Ouls- worth nowe in Virginia a moōn was made for conferring vpon him the Chansello^rship ||Chauncellor^p||: wherein he had [206] some good experiences: It was aunsweared that for somuch as the place is challenged by another gentlemen pretending a former graunt thereof from the Company in respect of his adventure, it could not be graunted: The Court therefore thought fitt, to respite the same vntill it might appeare what title or pretence the said gentle^mn had therevnto.

The Place of Counsellor^p: to be conferred on m^r Ouls- worth referred.

M^r Deputy acquainted the Court that for so much as the orders of the Company did require every officer to give vp his Account for the yeare past at this Quart^r Court according to his place he thought good for somuch as concerned him ~~and~~ to yeeld them a true Account (not doubting but that pte of Account w^{ch} concⁿed my Lo: of Southampton himsellf it would please his Lo^p: to relate vnto them to their good satisfacōn.)

Every officer to giue vp his Account.

Concerning m^r deputies Account^ℓ he shewed that whereas he had receaved diuers So^mes of money of his Lo^p: to be disbursed by him and the Comittees in making provisions of all sort^ℓ for diuers shippes and people this yeare sent to Virginia he was not able at this Court to giue vp a pfect Account of all the pticulars to the finishing of it. In regard that himsellf and the Comittees for the more speedy dispatch of the said Shippes and people formerly sent had bought diuers sort^ℓ

Concⁿing m^r Deputies Account.

of provisions vpon their Creditt℥ hoping to have receaved money ere this tyme from m^r Barbor for clearing those debt℥. Wherby his Account℥ might have been perfected against this Quarter Court.

m^r Deputies request to respitt his Account℥.

But the sodaine suppressing of the Lottaries have caused that money came not in as they expected; And forsomuch as the Companies Stocke lyeth now altogeather in plate, and therefore not so p^rsently able to be turned into money, wthout to great losse but hoped it would by the next Quarter Court w^{ch} would be about five weekes [207] hence; for these reasons he did humblie entreate this Court that they would be pleased to respite his Account℥ till the moneys were receaved for the paying of such debt℥ as were to be discharged vpon the last yeares Account w^{ch} being cleered he promiseth to bring in his Account w^{ch} the Court thought verie reasonable.

touching S^r Edwyn Sandys Account.

Touching S^r Edwyn Sandys Account he likewise declared that in his absence he was to signify vnto them, that whereas S^r: Edwin at the giving vp of his place stood bound for the Company, for certaine Sumes of money w^{ch} were ordered to be paid vnto him for discharge of the freight of divers shippes, and other things, w^{ch} Shippes for somuch as all of them are not yet returned but daily expected he therfore desired his Account℥ might likewise be respited till the next Quarter Courte after this: By w^{ch} time hee hopeth the Shippes wilbe returned, whereby he may discharge her according to the Contract, as wee ||hee|| had well and carefully donn all oth^{rs} for w^{ch} he stode engaged, w^{ch} mo^oon was likewise thought very reasonable and of necessitie to be graunted.

m^r Morewood referred to y^e Committees to be treated with.

M^r Tucker moved in the behallfe of one m^r: Norewood whome hee much comended for his approved skill and experience in surveying of land℥ and for so much as there was so great vse of such an officer in Virginia for meating out and distinguishing the true lymitt℥ and bound℥ of each p^rti^cler Planta^con and that he was very desirous to goe vpon that service that therefore the Company would please to accept of him for their Surveyo^r: The Court herevpon referred him to the Committees to be further treated wth about the same.

M^r: Deputy having informed the Court of m^r Newland's good affection to the Plantacon and of his extraordinary pains and care he had taken about the Shipping of the persons transported in y^e Abigaile taken in at the Ile of Wight: In consideration whereof the Court was pleased to bestowe vpon him 5 shares of land, recommending the same to the confirmacon of this Quarter Court. [208]

5: shares of Land bestowed on m^r Newland.

It was likewise moved that for somuch as m^r Bonnall keeper of the king's Silkwormes at Otland had so well deserved of the Company by his Care in procuring the ffrenchmen from Languedock w^{ch} were heretofore sent to Virginia and had likewise reported well of Virginia to his Ma^{ty}: vpon occasion of speach (comending the Mulberry trees in that Country to be of the best kinde) moued therfore that the Court would please to gratifie his good deserving wth the giift of some shares of Land and to make him a free brother of the Company wherevpon it was ordered he should have two shares and have his admittance accordingly.

Two Shares bestowed on m^r Bonnall & admitted to be free.

The Auditors and Comittees according to a former order of Court having taken into their consideration the many buisnesses incident to the Secretaries office (farr exceeding that w^{ch} was donn by the former Secretary) thought it fitt in consideration thereof to enlarge his Salary from xx^{li} p Anⁿ: to 40^{li}: for the time to come and for the yeare past to reward him wth 20^{li}: more then his former stypend in respect of his pains extraordinary.

The Secretaries Salary enlarged.

S^r Iohn Dāuers signified that it was the request of my Lady Lawarre vnto this Courte that in Consideracon of her good remayning in the hand of m^r Rolfe in Virginia shee might receave satisfaccon for y^e same out of his Tobacco nowe sent home, But for so much as it is supposed the said Tobacco is none of the said Rolfe, but belonged to m^r Peirce, it was thought fitt that m^r Henry Rolfe should acquaint my Lady Lawarre of his Brothers offer (as he informes) to make her La^p: good and faithfull Account of all such good as remayne in his hand vpon her La^p: direccon to that effect. [209]

My Lady Lawarr 40: shares to m^r Carter. It was signified vnto the Court that my Lady Lawarr and her sonne had assigned 40: shares of land in Virginia vnto m^r Carter for sundrie Adventuro^{rs} of the Company w^{ch} they desired might passe the approbacon of this Courte w^{ch} being allowed by the Auditors was graunted. Where, vpon, m^r Carters moving to passe these shares followinge, his request was graunted.

Shares passed by m ^r Carter.	To m ^r Henry Rainsford	2 shares
	To m ^r Craddocke	1 share
	To m ^r Palmer	1 share
	To m ^r Iohn Harte	1 share

Tho: Colby his request graunted. Thomas Colby of London Silkeman peticoning for the Adventure of his Brother Edmond Colby who paid in xij^{li} x^s 1609. as likewise for the Adventure of his said Brothers pson, being long since dead, and he next heire: The Court was pleased to graunt him his request recomending the same to the Quarter Courte to be confirmed.

m^r Peire 2 shares to m^r Barbor. The Court vpon like request passed these other ||shares|| following viz^t.
 m^r Downes .3. 2: shares from m^r Lott Peire to m^r Barbo^r.
 shares to m^r Iohn Smith. 3: shares from m^r Downes to m^r Iohn Smith

m^r ffoggs request to haue his shares confirmed vnder y^e Comp^t: Seale. Vpon request of m^r Raph ffogge that he might have the shares passed vnto him by assignem^t: confirmed vnto him vnder the Companies Seale, It was moved that it might be referred to the Auditors and Comittees that such a generall Course might be taken, for better assurance of shares of land vnto each man, that they might have it passed vnder the Seale of the Company in regaurd that papers were apt to be torne and lost.

m^r Woodall required to make his answeare. M^r Woodall is required at the next Quarter Court in Middsofmer Terme to make his psonall answeare to such scandalous speeches as he had form^{ly} divulged in disgrace of the Booke authorised by his Ma^{ty}: Counsell for Virginia and in the meane time he stand^e suspended from cominge to Court^e. [210]

m^r Capps peticon to be examined by y^e newe Gouverno^r. M^r Capps having put a peticon to the Counsell and Comittees at their last meeting, for satisfacon of Certaine land w^{ch} he said was taken

from him by the Gouverno^r: in Virginia at the arrivall of Captaine Newce because the said land fell in that parte where the Companie had appointed & ordered there land should be sett out: The Counsell and Comittees thought it not fitt vpon his report to make any such satisfacōn but to leave the matter to be fully examined by the Newe Governo^r: and therein they promised Iustice and equity.

But in regard the said m^r Capps was knowne to have donn much service to the Company in the space of 12: yeares ~~w^{ch}~~ ||whilst|| he lived in Virginia and had not receaved the Reward of 20 Kyne w^{ch} y^e Comp^y: had three yeares agoe given him, (as some of the Company remember) They thought it therfore fitt (wthout preiudice he pretend^d in y^e land) to bestowe on him the passage and transportacōn of five men in reward of his good service: To w^{ch} the Courte gave consent and referred the Conclusion to this Quarter Courte.

m^r Capps to haue
y^e passage of 5.
men free

M^r Henry Rolfe petiçon in the behallfe of his brother Iohn Rolfe in Virginia, is referred to the Auditors and Comittees to be examined, who are desired to make report what they shall thinke fitt to be donn therein.

m^r Henry Rolfe pe-
tiçon referred.

M^r Thomas Harteastles peticon is referred to S^r ffra: Wyate who at his arryvall in Virginia is desired to make enquiry touching such good^d as the peticoners wyfe Claymeth in the right of her former husband Leonard Danby deceased as likewise for allotment of the shares of land due vnto her said deceased husband for his personall adventure & of her two sonns, Iohn Whitton, and William Danby, being bcth transported at their said fathers charge.

m^r Tho: Harteast-
les peticon re-
ferred to S^r ffra:
Wyate.

M^r Moones petiçon touching his Brother Nicholas Moones Adventure of money paid into the Treasury, is referred to the examinaçon of the Auditors. [211]

m^r Moones peticon
referred.

M^r Richard Bulkleys Patent for a perticular Plantation in Virginia was nowe read and recomended to the Confirmaçon of the Quarter Court.

m^r Bulklies Pat-
ent.

S^r Rich. Worsleis Patent. The Patent to S^r Richard Worsly and the rest of his Associat^e was like wise reade and recomended as afore said.

Capt Newce his Patent. The Patent of Captaine Newce for a Plantacon was likewise reade and recomended.

M^r Cranmer m^r Bland m^r Melling, m^r Nicho: fferrar, by order of Court mett at m^r Deputy fferrars house the 30th of Aprill, to examine the bookes what land was due to S^r George Suñers in Virginia.

The Comittees re-
porte touching m^r
Mathewe Sumers. Secondly to see what proofes m^r Mathewe Suñers could make that he was S^r George Suñers heire and that the land belonged vnto him. ffor m^r Mathewe Suñers appeared Captaine Bayly and two oth^r gentlemen.

Concerninge the first.

The Iournall and lidger being pvsed the Account was found to stand thus S^r George Suñers is Creditor for sundrie provisions bought by him for the Company fol. 280: 0939ⁿ:—14—9^d.
S^r George Soñers is deputor for seuerall Adventures } 0463 —19—6:
of S^r Thomas ffreake & others allowed him, as fol 28. }
So rests due to S^r George Summers to be paid in } 0475 —15—9^d.
shares of land..... }

Concerning the second pointe.

Captaine Baylie confessed y^t S^r George Suñers had a brother called Nicholas Summers, w^{ch} Nicho: Suñers had 2^e sonns: Nicho: Summers the elder, and Mathewe Suñers the younger to w^{ch} Mathew, they say S^r George Soñers his intent and purpose was, that all his land and estate should discend, and to that effect they produced the Copie of S^r George Suñers his will, but neith^r vnder Seale of the office or any Notaries hand, this will they say was made before S^r Geo: Suñers went to Virginia, & neither of the brothers Executor, in this will they shewed a clause to this purpose, y^t S^r George Suñers bequeathed a c^{taine} Porcon of land & 100ⁿ in money to his Nephew Nicholas Suñers vpon Condiçon y^t y^e said Nicho: || Suñers || [212] should

release vnto his brother Mathewe all manner of right and Title that the said Nicholas Could or might pretend to certain Mano^{rs} and other lande of S^r George So^mers in certaine Villages in dorsett shire there pticul^y sett downe and this they say the said Nicholas did performe and made vnto his brother Mathewe a release and assignement of all the lande discended or discendable vnto him by S^r George So^mers by vertue whereof they challenge the Lande in Virginia and say they can pduce the release and assignem^t: of Nicholas vnto Mathew drawne by a lawyer and engrossed this Nicholas they confesse to be yet alive.¹
[213]

AT A GREAT AND GENERALL QUARTER COURT HELD
FOR VIRGINIA ON WENESDAY THE SECOND
OF MAY 1621:

PRESENT

the right Hono^{ble}: Earle of Southampton.
Lo: Cauendish.
Lo: Padgett.

S ^r : Thomas Roe.	S ^r : Edwyn Sandys.	S ^r : Samuells Sandys.
S ^r Nich: Tufton.	S ^r : Iohn Dāuers.	S ^r : Walter Earle.
S ^r Rich: Worsely.	S ^r : Henry Rainsford.	S ^r ffran: Wyate.
m ^r Deputy fferrar.	m ^r George Sandys.	Captain Tucker.
m ^r Toby Palauacine.	Capt: W ^m Newce.	m ^r Robte Smith.
m ^r Thomas Gibbs.	Capt. Bargraue.	m ^r Challon ^r .
m ^r Iohn Zouch.	m ^r W ^m : Oxenbridge.	m ^r Porter.
m ^r Iohn Smith.	m ^r Kempe.	m ^r Moone.
Docto ^r : Winstone.	m ^r Henry Rainsford.	m ^r Jefferson.
Docto ^r : Anthony.	m ^r Edw: Gibbs.	m ^r Sheppard.
		m ^r Nich: fferrar.

¹ The rest of this page 212 is, in the original, without writing.

m^r Peniston m^r Cartwright m^r Wale m^r Scott m^r Palmer m^r Newland
 m^r Abra: Chamberlen m^r Biddolph m^r Boothby m^r Tomkins m^r Iadwin
 m^r Rogers m^r Clarke m^r Wiseman m^r Agres m^r Bennett m^r Couell m^r
 Poulson m^r Louer m^r Bull m^r Bland m^r Rugles m^r Casewell m^r Berblock
 m^r Barker m^r Barbor m^r Swinho, m^r George Smith m^r Mellinge m^r
 Swayne m^r Widdowes m^r Martin m^r Ewens Captain Hamer m^r Peirce
 m^r Peake wth divers others.

My Lo: of South-
 ton can not be
 pntē at y^e begiñing
 of y^e Court.

M^r Deputy signified vnto the Company that my Lo: of Southampton
 could not be here at the begiñing of this Court by reason of some
 speciall buissines this afternoone at Parliament. And therfore desired
 that in the meane tyme they might begin to order something in
 regard of many matters they had to dispatch: wherevpon after the
 Act[℥] of the former Court were read, he began to remember them of
 those pticulars y^t had been ppounded [214] in the Preparatiue Court
 and referred to the confirmaçon of the greater Quarter Courte.

The establishing
 of the two officers
 of Marshall and
 Treasurer.

And first that whereas it hath been taken into consideraçon how
 necessary and behoufull it is to establish two such officers in Virginia
 as a Treasurer and a Marshall whereby the one might be Accountant
 to the Company here for such rents and dutyes as shall yearely accrue
 and belong vnto them (there being already 1000^{li}: due in that kind)
 and especially take care, to cause such direcçons as from hence ||shall||
 proceed touching the setting forward of good and staple Comodities
 be duely and exactly executed from tyme to tyme, the neglect
 whereof hetherto hath been an infinite preiudice vnto the Plantacon:
 And that the other officer namely the Marshall might vndertake y^e
 Care and Charge aswell of the ffortificaçons as of the Armes and
 forces of the Colony and to settle it in that proporçon of strength as
 it may be able to defend it sellfe against all forraigne Enemies.

TheComitteescare
 in stating y^e said
 offices.

To w^{ch} end and that these officers might be mayntayned, care had
 been taken by the Comittees, assisted wth some of the Counsell accord-
 ing to an order of Courte, and to state and endowe the said offices
 wth a convenient Salary: w^{ch} they had proporçoned in man⁹ follow-
 inge.

[illegible]

Being page 214 of Volume I of the original MS.

[illegible]

Com. C. Mignoni

m^r Pomston m^r Cartwright m^r Wale m^r Scott m^r Palmer m^r Ne
 m^r Abra: Chamberlen m^r Biddolph m^r Boothby m^r Tomkins
 m^r Rogers m^r Clarke m^r Wiseman m^r Agres m^r Bennett m^r C
 Poulson m^r Louer m^r Bull m^r Bland m^r Rugles m^r Casewell m^r E
 m^r Barker m^r Barber m^r Swinhol m^r George Smith m^r Mellions
 Swayne m^r Widdowes m^r Martin m^r Mewens Captain Hamer m^r P
 m^r Peake wth divers others.

My L^{or} of South-
 ton can not be
 late at y^r begining
 of y^r Court.

M^r Deputy signified unto the Court that the L^{or} of Southampton
 could not be here at the beginning of this Court by reason of some
 speciall buisness that he was bound to attend. And therefore desired
 that in the mean tyme the Court should order something to
 regard of many matters they had to dispatch: whereupon after the
 Acte of the former Court were read he began to remember the names of
 those particulars y^e had been presented [214] in the Preparative Court
 and referred to the consideration of the greater Quarter Courte.

of the two officers

(Bailiff and Sergeant) Hall and do give Wth VI

and belong unto them there being already 1000^l: due in that kind
 and especially to cause such directions as from hence shall
 proceed touching the setting forward of good and staple Commodityes
 be duly and exactly executed from tyme to tyme. the neglect
 whereof hitherto hath been an infinite prejudice unto the Plantations.
 And that the other officer namely the Marshall might undertake y^e
 Care and Charge aswell of the fortifications as of the Armes and
 forces of the Colony and to settle it in that proportion of strength as
 it may be able to defend it selfe against all forraigne Enemyes.

The Committee are
 in stating y^e said
 offices.

To w^{ch} end and that these officers might be maintayned, care
 been taken by the Committees, assisted wth some of the Counsell
 ing to an order of Courte, and to state and endowe the said offices
 wth a convenient Salary: w^{ch} they had proporcioned in man^{er} fol
 inge.

in the Preparative Court and referred to the confirmation of the greater
Quarter Court.

the establishing of the two
officers of Marshall and
Treasurer.

And first that whereas it hath been taken into consideration for necessary
and beneficial it is to establish two new officers in Virginia a
Treasurer and a Marshall whereby the one might be accountable to
the Company for the sum of rents and duties which shall yearly accrue
and belong unto them (there being already 2000^l due in that kind) and
especially take care, to raise sum of diversions as from the ^{sell} proceeds
bringing the setting forward of good and staple commodities to duty
and exactly executed from time to time, the neglect whereof
hitherto hath been an infinite prejudice unto the Plantation: And
that the other officer namely the Marshall might undertake & have
and charge as well of the fortifications as of the arms and forces
of the Colony and to settle it in that proportion of strength as it
may be able to defend itself against all forraigne Enemies.

The Committee care in
settling the said officers.

To wit one and that these officers might be maintained, care had
been taken by the Committee, assisted with some of the Council
according to an order of the Court, and to settle and endorse the said
officers with a convenient Salary: which they had proportioned in manner
following.

There Allowance,

First unto the place of Treasurer they had allotted 1500^l acres of
land to be cultivated and manured by 50^l of persons to be placed
upon in the quality of Tenants at will, to belong to the said officer
for ever: more of 25 to be sent to the present ^{residence} ~~place~~ and at many
more the year ensuing: which number of 50^l of persons the Treasurer is
bound to maintain and leave to his successor. Moreover towards the
charge of more Navy provisions to be made for the said Treasurer they
had allowed (according to former Presidents) 150^l and the his trans-
ports of his own family not exceeding the number of 20^l of persons.

Com^{rs} Virginia

ffirst vnto the place of Treasurer they had allotted 1500: acres of land to be cultivated and manured by 50: psonns to be placed therevpon in the quality of Tennt^e at hallf^e, to belong to the said office for ever: whereof 25 to be sent this present ~~yeare~~ ||voyage|| and as many more the yeare ensuing: w^{ch} number of 50 psons y^e Treasuror is bound to mayntaine and leave to his successor. Moreover toward^e the Charge of necessary provisions to be made for the said Treasuro^r they had allowed (according to former President^e) 150^{li}: and the free transporte of his owne family not exceeding the number of 20 psons. [215]

Tfers Allowance.

And vnto the place of Marshall in like manner they have thought fitt to allowe the like proporcon of land and Tenant^e to be appropriated to the said office for ever, And for asmuch as Captaine William Newce nowe proposed for the place of Marshall vpon speciall reco^m-endacon of his sufficiency to performe the said service, hath vnder-taken to plant and furnish out wth necessaries, the said number of 50 persons all wthin one yeare vpon the said land, and them to maintaine and leave to his Successor. In consideracon hereof the said Committees have thought fitt, the better to enhable him herevnto to allowe him 200^{li}: in hand toward^e the Charge of his present setting out, and other 200^{li}: vpon Certificate of his arryvall in Virginia: w^{ch} severall allowance this Courte having duely considered conceaved to be very reasonable, and being put to the question did ratifye and confirme But for the manner of managing the said offices it was thought fitt to reco^mend yt to the Care and wisdom of the Counsell to prescribe the same, and to order and lymitt their proceeding^e by instruccons.

Marshalls Allow-
ance.

It was further signified that the said Committees have likewise thought fitt to allowe the Gouerno^r noe lesse then 200^{li}: for all necessary pvisions to be made for this his present voyadge wth free transport of his owne family not exceeding twenty persons W^{ch} being now put to the question was ratified and confirmed by a generall erreccon of hand^e.

Gou⁹nors Allow-
ance.

S^r Iohn Dāuers
moōon that offi-
cers Tefintē might
be cast into y^e
Company

Vpon this and the like vsuall constituōon of men and lands to belonge to every Cheif officers place. S^r Iohn Dāuers having formerly taken a fitt occasion to moue did now againe referr the same to the consid-
eraōon of this Court: that seeing both reason and some experience had taught that officers did more regard, and labor more to advance their owne Tenantē by whome they were mayntayned, then those of the Companies: whither it were not fitting for prevention thereof hereafter to reduce and cast into the number of the publike those Tenantē [216] that belong to the Gouvernor, or any other officer, and out of the whole proffitē belonging to the Company to propocon the said officers the same allowance ratably according to the number of their Tenantē: conceaving it to be very probable that this Course, if any will stirr them vpp to a more serious regard and care of advancing the publick seeing their own private interest and Comōditye was therein involued. W^{ch} moōon this Court conceavinge it to be of speciall importance thought fitt to referr it to the further consideraōon and determinaōon of the Counsell.

The bargaine
made wth m^r
Ewens.

The bargaine made wth m^r Ewens m^r of the George, for carryinge 80. persons in the said Shipp at vj^{li} a man and 3^{li} a tunne for goodē, (after w^{ch} rate of 6^{li} a man he is to receaue present payment of the whole Sum togeather) being put to the question was likewise confirmed.¹

The Contract wth
the ffrenchmen.

The Contract made wth the ffrenchmen procured from Languedock and sent to Virginia for planting of Vynes and orderinge of Silke-wormes, the said Contract being for payment of ther wages and other allowances (whereof the said ffrenchmen had already sealed the Counterpte before their departure hence) the same being now read and after put to the question was ordered to be sealed.

3. Patents.

Three patentē for pticular Plantaōons in Virginia one to S^r: Rich: Bulkly the second to S^r Richard Worsley and his associatē and a third to Captain Willm Newce being all three formerly read and approved of by the Preparatiue Court, and nowe put to the question were confirmed and ordered to be sealed.

¹ For contracts with William Ewens, see List of Records, Nos. 256, 257, page 149, *ante*.

The Patent heretofore ordered to be graunted to S^r Willm Mounson and his associat^e being nowe read and observed to be amended according to a former order of Courte was likewise put to y^e question and ordered to be sealed. S^r Willm Moun-
sons Patents sealed.

This Afternoone being nowe farr spent and much buissines remayn- ing still to be despatched, it was agreed that the Court should be continued till all matters were ordered. Court continued.

In regard of the shortnes of time it was moved y^t they might now goe in hand wth buissines propper to that day w^{ch} by his Ma^{ty}: Ires Patent^e was ordeyned Cheify for elec^{cion} of officers. [217]

Wherevpon the names of the Auditors for the last yeare were appointed to be read: w^{ch} being donne the Courte thought fitt, in respect of their worth, their sufficiency and experience, to continue 6. of them still for the yeare ensueing viz^t Auditors Chosen.

S ^r : Edwyn Sandys.	m ^r Iohn Wroth.
S ^r Iohn Dāuers.	m ^r Keightly.
m ^r Iohn fferrar.	m ^r Cranmer.

And in respect m^r Briggs was nowe gon to Oxford to abyde, there was chosen in his place m^r Gibbs: All w^{ch} being put to the question were confirmed and tooke the same Oath.

Proceeding to the elec^{cion} of the Comittees according to the standing orders of the Company (whereby they are to choose anewe a fourth part the number of 16: to the end that many may be trayned vp in y^e like buisines) the Court chose againe twellve of them of the last yeare viz^t.

m ^r Cranmer.	m ^r Caswell.	m ^r Bland.
m ^r Berblock.	m ^r Melling.	m ^r Wiseman.
m ^r Bull.	m ^r Barnard.	m ^r Darnelly.
m ^r Geo: Smith.	m ^r Boothby.	m ^r Nich: fferrar.

And having discharged one ffourth parte viz^t. m^r Iones m^r Clarke, m^r Chambers m^r Wheately, choise ||was|| made of these fower in their places viz^t.

m^r Bennett.
m^r Ayres.

m^r Biddolph.
m^r Couell.

Edward Collingwood Secretary	} were confirmed in their former places and tooke their Oath.
Willm Webbe. Husband	
Frauncis Carter Beadle	

Capt Newce chosen Marshall.

Proceedinge to the elec^on of Marshall for somuch as Captaine William Newce was onely proposed to stand to the elec^on and ~~to~~ ||to be|| put to the Ballating Box, was by the same chosen wth a generall consent (saue of three balls onely found in the negatiue boxe) to be Marshall of Virginia:

m^r Geo: Sandys chosen T^rer.

M^r George Sandys likewise being nominated for the place of Treasurer and accordingly ballated §was§ wth like consent (saue of 3 balls onely) chosen and confirmed to be Treasuro^r: [218]

Marshall & T^rer to be of y^e Counsell here & of y^e State in Virginia.

It being moved that two such eminent officers as the Marshall and Treasurer wherevnto so worthy Gentlemen are now elected might be admitted both of his Ma^{ties}: Counsell here as also of the Counsell of State in Virginia. The Court conceaved it very fitt and ordered vnto them both accordingly.

m^r Oulsworth of y^e Counsell

M^r Oulsworth likewise vpon m^r Smyths report and comenda^on of his worth & sufficiency (having been a Iustice of peace here in England for so many yeares and of the quorum) was nowe chosen and confirmed to be of the Counsell of State in Virginia.

The Auditors to haue some reward in Shares.

A mo^on being made y^t the Auditors and Comittees might have some reward in shares of land in recompence of their great paines and attendance vpon the Companies service. It was thought fitt the Committee appointed for the distribu^on of shares in that kind should take the same into their considerãcons

But in regard of the extraordinary well deserving of S^r Edwyn Sandys and his Continuall constant endeavo^r: both before and in the time of his gouernment and since to vphold and advance the Plantacon by his industry care and providence the Company thought fitt now in his absence especially, to shewe some testimony of their loue and thankfullnes though no wayes able to gratifie his paines in that ample measure as he had deserued, by bestowing 20: shares of land vpon him for the present till better meanes accrue y^t might enable the Company to be further thankfull vnto him: w^{ch} 20: shares being put to the question were by a Generall Consent ratified and confirmed.

20: Shares bestowed on S^r Edwyn Sandys.

ffor somuch as it hath been obsrved that the alienating and selling shares of land at an vnder value as comonly men do for 40: or 50^s: did not onely defraud the treasury of much money that would come vpon an orderly purchase thereof from the Company but did also exceedingly sleight & disesteeme the free and hono^{ble} bounty of this Court, and in a manner embrace the Virginia Soyle: and besides not a little discouragement such as had paid in their 12^{li} 10^s for every single share; ffor p^rventing whereof it was therfore moved that y^e Court would please in bestowing shares ||of land hereafter|| vpon merrite: to graunt it wth [219] such lymitacons, as no man may have liberty to sell, or transfer his shares to any other for any consideracon whatsoever vnles the Comittee appointed for distribucon of shares should be moved vpon some speciall reasons to give way therevnto: wherevpon the Court ordered that from this daye forward all shares of land given by the Company, shalbe lyimited vnder the former Caution, vnles the said Comittee shall ~~thinke~~ otherwise thinke fitt to allowe thereof. The names of the said Comittee are these viz^t.

The alienating & sellinge of Shares at vnder value

Shares given vpon merritt not to be sould C^r.

S ^r Edwyn Sandys.	vnto whome the
S ^r Iohn Dāuers.	Court have now added
m ^r Deputy fferrar.	m ^r Herbert and
m ^r Iohn Smith.	m ^r Iermine.

The five shares of land graunted to m^r Newland as a free guift of the Comp: in reward of his extraordinary paines taken in their service in

5. shares to m^r Newland

taking care of Shipping their people in the Abigaile at the Ile of Wight being now put to y^e question was confirmed vpon condiçon that he sell them not awaye.

2. shares to m^r
Bonnall.

Two shares of land given to m^r Bonnall in consideraçon of his paines in procuring the ffrenchmen from Languedock for the Companies service nowe in Virginia being put to the question were confirmed vpon the same condiçon.

m^r: Deputies re-
port concⁿing his
Account.

Concerning m^r Deputies Account he shewed that whereas he had receaved divers Sumes of money of his Lo^p to be disbursed by him and the Comittees in making provisions of all sorte for divers Shippes and people this yeare sent to Virginia, he was not able at this Court to give vp a perfect Account of all y^e pticulars to the finishing of it: In regard that himsellfe and the Co^mittees for the more speedy dispatch of the said Shippes and people formerly sent had bought divers sorte of provisions vpon their Creditt^e hoping to have receaved money ere this time from m^r Barbor for clearing those debt^e whereby his Account might have been p^rserved against this Quarter Court.

But the suddaine suppressing of Lotteries have caused that money [220] came not in as they expected: And for so much as the Companies Stock lyeth now altogether in Plate and therefore was not so presently able to be turned into money wthout to great losse but hoped that it would be by the next Quarter Court w^{ch} would be about five week^e hence: for these reasons he did humbly entreate this Court that they would be pleased to respite this Account till the next moneys were receaved for the paying of such debt^e as were to be discharged vpon the last yeares Account w^{ch} the Court thought very reasonable.¹

Touching S^r Ed-
wyn Sandys Ac-
count.

Touching S^r: Edwyn Sandys Account he likewise declared that in his absence he was to signify vnto them that whereas S^r Edwyn at the giving vp of his place, stood bound for the Company for certaine Sumes of money w^{ch} were ordered to be paid vnto him for discharge of the freight of divers shippes and other thing^e: w^{ch} Shippes for somuch as

¹ The Order in Council and the Proclamation of the King suspending the lotteries are mentioned in List of Records, Nos. 231, 233, page 146, *ante*.

all of them are not yett returned but daily expected, he therfore desired his Acc^{ts}: might likewise be respited till the next Quarter Court after this by w^{ch} time he hopeth the Shipp will be returned, whereby he might discharge her according to the Contract, as he had well and carefully donn all others for w^{ch} he stood ingaged w^{ch} mo^{con} was likewise thought very reasonable and of necessity to be graunted.

The encrease of the Secretaries Salary from 20^{li}: to 40^{li}: p Anⁿ and his reward of 20^{li}: for the time past is likewise confirmed by erec^{con} of hande.

M^r Capps reward of 5. men passage free at the Companies charge, in considera^{con} of his many yeares service for the Company in Virginia wth hazard of his life amonge the Indians is likewise confirmed.

M^r Capps to haue the passage of .5. men free.

After these buisnesses were thus ordered and the day farr spent, it was moved that seeing my Lo: of Southampton was not yet come, they might notwthstanding proceed to the elec^{con} of their newe Treasuro^r for the yeare ensueinge: w^{ch} mo^{con} being agreed vnto and my Lo: of Southampton onely proposed for elec^{con} his Lo^p: was forthwth ballated according to order [221] and thereby chosen with a full and generall consent of the whole Courte (as appeared by the Balls there being not one against yt) to continue and hold the said place of Treasurer for the ensuing yeare whereof his Lo^p: being advertized at his Cominge, and of the humble and earnest request of the whole Court to that purpose, was pleased to accept of their willing choise in very noble ma^{ner} excusing his remisse coming to their Court^e the yeare past, as allso the occasion of his longe stay this daye at Parliam^t: w^{ch} the Court did not onely signify their readines to dispence wth, but rendered also to his Lo^p: the greatest thank^e that possible they could for his hono^{ble}: care ~~and~~ paines and endeavo^{rs} to vphold and advance the Planta^{con} ever since his happy entrance into this place of gouern^t.

My Lo: of Southampton chosen Treasurer.

After this his L^{pp} according to the standing orders of the Company deliu⁹ed into the Court a booke of his Account^e for the yeare past examined & approved vnder the Auditors hande, as allso the number

A booke of my Lo: Account.

of the Supplies of people sent to Virginia the same yeare. But touching the present State of the Cashe his Lo^p said he could give them as yet no Account: because the State was now already in Plate w^{ch} required some longer time to be converted into money.

m^r Io: Berkly
comended for Iron
workes.

S^r Edwyn Sandys signified vnto the Company that whereas to their great care and Cost of at least 4000^{li}: they had heretofore given direction for the setting vp of certain Iron work^e in Virginia and to that end procured skillfull workemen for making of Iron they had receaved credible informa^{ti}on that three of their m^r workemen were dead: In supply of whome, because the hope of that Com^oditie alone is very great having already receaved a good prooffe thereof by Iron sent from thence they have already sent three other skillfull workemen to advance againe the said worke, and now it was their good happ to light vpon a fourth gent (named m^r Iohn Berkly who in the iudgement of those that knewe him well was helld to be very sufficient that waye) who did now offer himsellf to goe vpon the said service and carry over wth him 20 principall workemen well experienced in those kinde of [222] work^e. wherevpon the Court thought fitt that the Com^oitees hereafter named or any five of them should treat * * * and conclude wth the said m^r Berkly and likewise wth his Sonne being desirous to goe over wth his said father touching their demaund^e for performance of the said service.

Comittees to treat
wth m^r Berkly.

The Comittees were these,

S^r: Nicho: Tufton.
S^r: Iohn Dāuers.
S^r: Henry Rainsford.
S^r: ffra: Wyate.
Capt W^m: Newce.

m^r Iohn Smith.
m^r Wrote.
m^r Iohn fferrar.
m^r Nicho: fferrar.
m^r Berblocke.

m^r Norwood Sur-
veyor.

M^r: Norwood being reco^mended by Captain Tucker for his sufficiency in surveying of land^e and one desirous to goe over to Virginia, vpon that was now chosen for that place and referred to the former Com^oittee to treat wth him concerning some allowances to be given vnto him.

The said Comitte are likewise desired to drawe vp a Comission for Captain Willm Newce for the office of Marshall of Virginia to be ready for the Seale against the next Court, vnto w^{ch} authority is given by this Quarter Court to applie the Seale vnto the said Comission being once approved.

Captain Newce his Commission to be drawn.

My Lo: of Southampton signified vnto the Company that although the number of his Ma^{ty}: Counsell for Virginia was already very great: yet in regard the most part of them were such eminent persons of State as could not afford their present^l so often as they might have occasion; he therefore thought it very expedient and necessary to make ~~such~~ ||some|| addi^on of such as had not only approved their sufficiency and worth vnto the Company: but were like to give more diligent attendance at their Court^l ||and|| in a manner be at hand vpon all occasions of service and therewthall presented the names of eight Gent: w^{ch} his Lo^p. comended to their good approba^on vizt

Eight new Counsellors.

S ^r Phil: Carey.	m ^r Edw: Harbert.
S ^r : Edw: Lawly.	m ^r Iohn Smith.
S ^r : Walter Earle.	m ^r Iohn Delbridge.
m ^r Nicho: fferrar.	m ^r Nicho: Hyde.

Who were all approved of and by a generall erec^on of hand^l admitted to be of his Ma^{ty}: Counsell for Virginia. [223]

My Lo: of Southampton having taken his Oath desired he might have allowance of time and their dispensa^on for absence, Concerning the w^{ch} the Court fully declared that it was not their intent that his Lo^p: should be further bound to the p^rformance of buissines of this Court then his owne more waightier occasions would pmitt.

My Lo: tooke his Oath.

The like mo^on S^r: Edwyn Sandys made for himsellf in taking his Oath in regard of his daylie attendance and imployment in Parliament buissines w^{ch} was also graunted.

S^r: Edw: Sandys to be dispenced with.

My Lord further signified that it was his suite vnto the Company that m^r Iohn fferrar of whose fidelity and sufficiency they had already so

m^r fferrar continued Deputy.

good experience might still continue his place of Deputy w^{ch} with a generall consent was very willingly condiscended vnto and chosen by ballating Box.

A Patent to Capt
Mathew Somers

My Lo: moved on the behallfe of Captain Mathew Somers that for so much as he vndertakes to transporte 100: psons into Virginia, to plant vpon a pticular Plantacon that therefore he might have a Patent to enhable him therevnto w^{ch} the Court accordingly graunted.

Capt Baylies mo-
con referred.

But touching Captain Baylies mocon on the behallf of the said Captain Somers that he might have 200^{li}: toward℄ the Charge of planting the said number of 100: psons in regard of the psonall worth and merrite of S^r: George Somers deceased whose heire he pretend℄ himsell to be, it was thought fitt to referr him to the former Comittees to be treated with.

m^r Wales petiçon.

M^r Wale in his petiçon desiring some order might be taken for payment of the money vnduely taken from him, as being more then his subscription w^{ch} was paid into S^r Thomas Smith, to be imployed vpon an adventure of a Northerne ffishing: It was answered that for somuch as the Adventurors of the said fishing voyage were not all of them of this Company and besides the same being a private adventure this Court helld it not propp for them to meddle wth it.

m^r Moone referred
to y^e Auditors.

M^r Moones petiçon touching his Brother Nicho: Moones adventure of money paid into y^e Treasury is referred to y^e Auditors for his further satisfaccon. [224]

Capt Io: Smith re-
ferred to y^e Audi-
tors.

Captain Iohn Smith in his petiçon sheweth that for somuch as he hath not onely adventured money for the good of the Plantacon and twice built Iames Towne and fower other perticuler Plantacons as he alledgeth but for that he discouered the Country and relieved the Colony willingly three yeares with that w^{ch} he gott from the Sauages wth great perill and hazard of his life: that therfore in consideracon herof the Company would please to reward him either out of the Treasury here, or out of the profite of the generallity in Virginia: Touching w^{ch} request the Court hath referred him to the Co^mittees appointed for rewarding of men vpon merrite.

ATT AN EXTRAORDINARY COURT HELD FOR
VIRGINIA THE 12 OF MAY 1621

PRESENT

S ^r : Iohn Dāuers.	m ^r Gibbs.	m ^r Casewell.
S ^r Henry Rainsford.	Capt W ^m : Newce.	m ^r Edwards.
m ^r Deputy fferrar.	m ^r George Sandys.	m ^r Wheatly.
m ^r Iohn Wroth.	m ^r Iohn Smyth.	m ^r Melling.
m ^r Wrote.	Capt. Tucker.	m ^r Cuff.
		m ^r Combe.

Whereas at the last Quarter Court held the second of this p^{re}sent Moneth order was given to Certain Comittees for drawing vp of a Comission against the next Quarter Court for Captain William Newce appointed Marshall of Virginia for three yeares the said Comission being now presented and read and afterwarde put to the question was by a generall erec^on of hande confirmed and ordered to be sealed (authority being given by the last Quarter Court vnto this present Court vpon their approba^on to seale the same).

Captain W^m:
Newce his Comis-
sion to be Sealed.

M^r Berkly having been formerly treated wth (by the Comittees m^r Berklyes offer. appointed by Order of the last Quarter Coort) touching his demaunds for p^{er}formance of the service he vndertakes for advancing the Iron worke in Virginia: and having then desired some time to consider of that offer, that was made vnto him, did now declare him self willing to goe vpon the same condi^ons, as m^r Blewett lately deceased had donn, (exceptinge some fewe perticulars,) & to procure and carry over wth him twenty psons well [225] experienced in those kinde of worke, whereof .8. should be imployed vpon the ffurnace viz^t .2. Founders, 2. Keepers, 2. ffilers, 2. Carpenters. and 12. others vpon the fforge namely, 4. ffyners, 2. Servant^e, 2. Chaffery men, 2. Hammer men and their 2 Servant^e. b^esides his owne sonne and .3. Servant^e of his private ffamily all w^{ch} should be ready at the Ile of Wight to take shipping the 25th of Iune next: In considera^on whereof it was thought ||fitt|| to allowe m^r Berkly 20^{li}: to defray the Charge of procuring and

bringing the said workemen out of the Country to the Ile of Wight as also 30^{li}: more toward℄ the charge of his owne provisions and necessities for that voyadg.

And besides to give him the free transporte of his sonne and his .3. servant℄ wth w^{ch} he was contented, and wth much thankfullnes accepted of the offer.

A COURT HELD FOR VIRGINIA THE 23^p: MAY
1621: AT M^r FERRARS HOUSE:

PRESENT

S ^r Edwyn Sandys.	m ^r Gibbs.	m ^r Geo: Smith.
S ^r Iohn Dāuers.	m ^r Iohn Smith.	m ^r Mellinge.
m ^r Deputy.	Captain Tucker.	m ^r Cuffe.
m ^r Wrote.	m ^r Ayres.	m ^r Combe w th divers others.

Allowance to m^r
Iohn Berkly.

M^r Deputy signified that m^r Iohn Berkly and Mawrice his sonne being formerly treated wth the 5th of this present Moneth by a Comittee and afterward at the next Court held the 12th of the same, they havinge declared them selves willing to goe vpon the same Condiçons that m^r Blewett formerly had donn (except in some fewe pticulars) and vnder-tooke to pcure 20: psons well experienced in making Iron to be imployed in the Comp^s: service in Virginia for seaven yeares togeather wth themselfes: In consideraçon hereof the said Court was pleased to give him 30^{li} toward℄ the Charge of furnishing himsellf and his said sonne wth apparell and other necessities wth free transporte of 3. of his owne servant℄. And 20^{li}: more to defray the Charge of Conducting the said 20: persons to the [226] Ile of Wight by the first of Iuly next, w^{ch} said 20: psons and his said 3 servant℄ are likewise to be transported furnished and victualled as other Tenant℄ for one whole yeare at the Companies charge w^{ch} allowances this Court thought very reasonable, and being nowe put to the question did ratifye and confirme the same. And further gave Order to m^r Deputy for the more speedy dispatch of the said m^r Berkly and that he might haue a suf-

Articles of Agree-
ment to be drawne.

ficient time to gather his people together to be ready at the day prefixed, to drawe y^e Articles of agreement according herevnto wth such necessary addiçons as he should thinke fitt and after to applie the Companies Seale vnto the same.

M^r Iohn Smith acquainted the Company that there was a Gentle^mn m^r Smiths mo^oon. of good Account and sufficiency whome he could name who would vndertake to procure and transport to Virginia at an easie rate (if so the Company please) a good number of young men and mayd^e able to do them good service there to plant and to be imployed to y^e Companies behoofe w^{ch} offer the Court did very well approve of as deserving thank^e but findinge themsellves vnhab^le in Cash to goe through with so great a charge, thought fitt to respite the same till they might have better meanes to performe it. [227]

A PRÆPARATIVE COURT HELD FOR VIRGINIA IN
THE AFTERNOONE THE xjth OF IUNE 1621.

PRESENT.

S ^r Edwyn Sandys.	m ^r George Sandys.	m ^r Darnelly.
S ^r Roger Iames.	m ^r Wrote.	m ^r Caswell.
S ^r : ffra: Wyate.	m ^r Docto ^r Anthony.	m ^r Ayres.
S ^r William Newce.	m ^r Iohn Smith.	m ^r Swinho.
m ^r Iohn Wroth.	m ^r Nich: fferrar.	m ^r Kelly.
m ^r Gibbs.	m ^r Rugles.	m ^r Moone.
m ^r Deputy fferrar.	m ^r Wheately.	m ^r Meverell.
	m ^r Widdowes.	
	m ^r Barbor.	
	m ^r Melling.	
	m ^r Bolton.	
	m ^r Steward.	
	m ^r Newport.	
	w th divers others.	

My Lo: of South-
ton desired to be
excused.

the establishing of
y^e Counsell of State
in Virginia consid-
ered of.

S^r ffra: Wyate
Gou⁹no^r.

M^r Geo: Sandys &
S^r W^m Newce for
y^e places of Trer
& Marshall
M^r Porey.

S^r Edwyn Sandys signified that my Lo: of Southampton desired this Courte to excuse him for his absence at this time being wthheld vpon extraordinary occasion: and though long absent yet his Lo^p: had been exceeding carefull of their buissines: for no longer agoe then Sater-day last he signified that some of the Counsell having mett at his Lo^{ps}: howse, had conference for many howers together, about waightie buissinesses concerning Virginia: where they first tooke into their consideraçon the establishing of the Counsell of State there as likewise concerning the Gouverno^r: and Secretary: whose Comissions continuing but for three yeares in certaine, did both expire in Novemb: next. In supply of the first they have allready made choyse of a worthy gentleman to be their Gouverno^r: namely S^r ffrauncis Wyate who was shortly to sett out to Virginia and to take his place at the expiraçon of S^r Geo: Yeardlyes Comission and not before: It was allso well knowne vnto them the choyse that had been made of two Newe officers namely of m^r: George Sandys to be Treasuro^r of Virginia: and S^r William Newce to be their Marshall. But touching the Secretary of State there that now is namely (m^r Porey) it remayned to knowe their Pleasure whither they would continue him still in his said office or make a Change. Wherevpon it was signified that for so much as m^r Porey had not caried himself well in the said place to the contentm^t: of the Company it was conceaved to be the generall purpose of the Court to change him for a better so neere as they could and therefore desired some other might be nominated vnto them.¹ [228]

4 named for y^e
place of Secretary
in Virginia

m^r Waterhouse
comended by S^r
Iohn Dauers.

Whervvpon m^r Deputy gaue notice of 4 worthie gentlemen that had been recommended vnto him for that place all of them well bred sufficientlie well quallefyed soe as the meanest seemed much worthie of a better place not in respect of the quallytie thereof but in respect of the entertaynement belonging therunto so as itt was his greife they had not places for them all butt must be enforced to dismisse three of them the names of the said gentlemen were these m^r Paramore, m^r Dauison, m^r Smith, and m^r Waterhouse who hath been recommended by S^r Iohn Dauers for three things especially namely

¹ At this point in the manuscript the handwriting returns to that of Nicholas Ferrar's assistant, referred to on page 270 as Thomas Collett. See Plates.

his honestie Religion and sufficiencie for w^{ch} hee would vndertake vpon that knowledge hee had of him this gentlemen m^r Waterhouse should make good to their full sattisfac^on: Butt itt was signified that they haveinge been all fower comended to the Lord of South-ampton his Lo^p: was so nobly mynded towards this Company as to leave them to their free libertie of choyce of any of them by an orderly elec^on, and therfore wished they would in the meantime make some further enquirie of them against the next Courte and then come resolved, for w^{ch} and many other noble favo^{rs} the Courte did generally testifie their much obliged respect and thankfullnes vnto his Lo^p:

S^r Edwin Sandys further signified that itt was then allso taken into their considera^on and thought fitt that the Counsell of State in Virginia should assemble fower times a yeare each Quarter once for one wholl weeke together to advise and consult vpon matter of Counsell and of State and of the generall affaires of the Colony and as there shalbe cause to order and determine the greater matters of contro-versie growinge and arysinge betweene the Plantations ther beinge now added a good number of new Counsellors to the former, namely.

The Counsell of
State in Virginia
to assemble 4 times
in a yeare.

m^r Thorpe.

m^r Daudid Middleton.

m^r Tho: Newce.

m^r Bluett.

m^r Pountes.

m^r Horwood.

m^r Tracye.

And now of late m^r William Newce, m^r George Sandys and m^r Oulsworth. [229]

S^r Edwin Sandys declared further that they had taken into considera^on matter of future supporte of the Planta^on to supplie if they could now other helps doe faile out of that contribu^on w^{ch} is p^rsumed will be given by each Cittie Towne and Burrough towards the sendinge of their poore with whome they are pestred into Virginia, Which offer beinge made vnto the lower house of Parlyament vpon an occasion of the like complainte of the poore w^{ch} are burthensome to many parishes itt was accepted of that howse with a verie great and gratefull applause; Itt was therefore thought fitt that some choyce gentle-

A bill to be drawne
to y^e Parliament
howse for sendinge
y^e poor to Vir-
ginia.

men might be appoynted to drawe a bill to that purpose against the next Parlyament that the poore may hereafter be sent to Virginia att the charge of the parish where they live w^{ch} hee wished the Company to consider of against the next Courte.

m^r Casewelle mo-
cion to stirr vp y^e
Companys heer in
London.

M^r Casewell likewise moved that some course might be thought on to stirr vpp the Companies here in London that had adventured monny towards the Plantacon in Virginia to doe the like there by building of some Towne as they had alredie done in Ireland to their good proffitt w^{ch} mo^{cion} was well approved of and thought fitt to be prosecuted to effect.

S^r Edw: Sandys
declaracon for the
Kinge displeasure
in plantinge To-
bacco.

Touchinge Tobacco w^{ch} hath been allwaies so generally affected by the Planters in Virginia S^r Edwin Sandys signified how extreamly displeasinge itt was to the Kinge and scandalous vnto the Plantacon and vnto the whole Company, that notwithstanding itt hath been prosecuted these many years by many wise and worthie psons and wasted in that time a Masse of monney yett hath itt not produced to any other effect, then that smokie weed of Tobacco, and therefore the Counsell as heretofore itt may appeare by all their former instruccons and letters, so now againe had taken itt into their consideracon how they might restraine the generall plantinge theirow or at leaste bringe itt downe to a farr lesse proporcon and quantitie then now is made.¹

the long mayn-
teyninge of y^e high
price of Tobacco
to be y^e cheifest
cause y^t all other
Comodities are
neglected.

Hee further declared that the cheifest cause that all other Comodities were neglected was found to be the long maynteyninge of the high price of Tobacco att 3^s the pound, w^{ch} had alredy destroyed a Magazine of att leaste 1000^{li} charge vnto certaine Adventurers for Apparell and other necessarie provisions wherof the Collony stood in need; w^{ch} they repayd againe [230] in nothinge butt Tobacco forceinge itt at that price vppon the Cape Marchant wherof a good pt of itt was scarce sould [~~for *^d p pound~~] and now againe they have repayd the wholl Company in the like manner att the same price for all the charge they have been att for sendinge them Apprentizes Servant^e and wives w^{ch} cost the Company heere neer 2000^{li}.

¹ The action of the Privy Council for suppressing the importation of tobacco is cited in List of Records, No. 263, page 149, *ante*.

A Second thing taken into consideraçon by the Counsell, was what proporcion hereafter should in all be allowed to be made, and how the same might be rated by the pole amongst y^e Planters to each famylie his pt and proporcion towards the makinge vpp of the generall lumpe that shalbe hither brought; Touchinge this poynt itt was conceived no true estimate could be made till the ~~tra~~ number of the famylies were knowne and rectified; Butt for the price of Tobacco att 3^s p pound itt was thought fitt to be valued accordinge to the goodnes thereof and att no certaine price.

what proporcion of Tobacco shall be made and how the same may be rated by the pole.

Itt was further signified that as itt hath been the vse and practise of forraigne kings and Monarchs (to their great glory and renowne) att certaine times to send some speciall worthy psons whom they call their Sendicks to visite all their Dominions and remoter Countries, and by vertue of their prerogative and power to examyne wth a curious eye the actions and carryage of all the principall Officers and Gouvernors ~~and~~ to thend that those that had deserved well might be rewarded with hono^r, and others punished accordinge to their Demerites; The like course have beene thought fitt by the Counsell here to be taken with the Officers in Virginia, and that a choyse Comittee of men of worth and integritie might be authorised to examine and enquire into the Acçons and doings of former Office^{rs} & therof to returne a good Accompt vnto the Company here that they may proceed further therin accordinge to the rules of Iustice and equitye.

Sendikes.

S^r Edwin Sandys acquainted the Company wth an exquisite discourse that a gentleman had made (though not perfected) for the advancement of the Plantaçon who desyred his name might not be made knowne which discourse hee had devided into those five heade. [231]

S^r Edw: Sandys signified of an exquisite discourse a gent: had made which was devided into 5 heads.

The first w^{ch} was most necessarie was matter of ffood and Sustenance for the Colony wherof hee had discovered the defect^e and proposed the way how itt might be supplied.

i Foode & Sustenance

The Second was matte^r of health for p^lservinge of w^{ch} hee had given excellent direcçons observinge the want herof not to be through the ill condiçon of the Clymate soe much as through the disordered doings of the people and their misgouverment.

2 Matter of Health.

- 3 fortificacon. The Third was Forteficacon a matter of as great consequence as any of the rest wherin hee hath shewed all ways and means how to fortify with least charge and least expence of time.
- 4 Wealth. The ffowrth was that wheron all mens eys were fixed namely Wealth shewing how the Planter may wth hono^r and much gaine to himselfe sett vpp a boundance of good and Staple Comodities wherof y^t Clymate is knowne as capable as any in the world.
- 5 Religion. C^r. The ffifte and last head treated of Religion civilitie of life and how to keepe the people in amytie and good agreemente amongst themselvs.

The gent to proceed to y^e pfectinge of itt.

The Courte herevppon made a generall request that y^e gentleman might please to pceed to the pfectinge of the saide worthie worke and that a Committee might be appoynted att the next Courte to pvse itt and soe recomend itt to the care of the Gouvernor to make a begininge in that course that is like to conduce soe maynely to the advancem^t of the Plantacon.

y^e Duty returned and attended in y^e Downes. ordergiuen to send her to Flushing.

M^r Deputy signified that wheras the Duty was now returned from Virginia and attended in the Downes for her direccon whether to goe, the Counsell and Committees haveinge mett aboute itt have given order to Damiron m^r of the Ship to send her to Flushing and had allso agreed wth m^r Arthur Swaine a Marchaunt of London comended for his fidelitie & sufficiency to be their ffacto^r there for puttinge off their Tobacco to their most proffitt allowinge him 2 in the C for his paynes wth w^{ch} hee was contented, and to this end gave him a Comission vnder the Companies Seale & certaine Instruccons w^{ch} the Counsell thought necessary for his direccon in y^t buisines wherof hee doubted not butt that they should have a good Accompt of his doings. [232]

a Ship aryved in Ireland.

Hee likewise signified that hee had received intelligence of a Ship lately aryved in Ireland that came from Virginia butt what Ship itt should be hee knew not but hoped itt was the Tryall which was yett behinde.

A Patent graunted to S^r Wm: Newce.

Itt was moved y^t for soe much as his Ma^{ty}: had bestowed the honour of Knighthood vppon S^r William Nuce whome his Ma^{ty} was pleased to call his Knight Marshall of Virginia and hopeth to have a better

Accompt of his doings then he hath had of others hetherto that hee might have a new Patent wth that addiçon of hono^r w^{ch} his Ma^{ty}: had given him w^{ch} was graunted.

M^r Deputy signified that itt was thought fitt a Pinace should be provided to be redy against September next for carryinge the Silkworme seed for w^{ch} my Lord had write into Italy, Fraunce, and Spayne, w^{ch} is p^mised to be here by that time.

A Pinace for carrying y^e Silkworme seed.

Hee further signified y^t my Ladie Dale late the wife of S^r Thomas Dale deceased y^t worthy Knight and greate advancer of y^e Virginia Action desyred a Patent for a p^ticularr Plantaçon w^{ch} was graunted and that direcçon should be given to ye Gou⁹nor to allott the place accordinge to her La^{pp}: request if itt be not allredy planted.

A Patent to my Lady Dale

The like Patent wth like direcçon to the Gou⁹no^r was ordered to be made redy for S^r Dudley Diggs and his Associates.

A Patent for S^r Dudley Diggs.

The like Patent vppon request was graunted to S^r Iohn Bourcher and his Associates.

A Patent to S^r Iohn Bourchere.

M^r Smith acquainted the Courte that ther was one exceeding skillfull in makinge of Salte that accompanies m^r Berkley in his Voyadge to Virginia att his owne charge as yett of purpose to try whether itt may be there effected or noe; And of one other allso who was not onely a founder of Iron butt expert in makinge all manner of Pott^l brewing vessels of Iron who offered his best service if the Company soe please and that for some small consideraçon from them towards the keepinge of his wife in his absence desyringe butt 20 Nobles att his now goinge and so much more att the years end if hee can effect any good for the Comp^a: otherwise hee will returne againe att his owne charge touching w^{ch} moçon the Court hath referred him to m^r Deputy to treat with him and conclude if hee cann. [233]

m^r Smith^e moçon referred to m^r Deputy

Wheras m^r Cleyborne was appoynted to have his dyett wth the Gou⁹ernor the Courte held itt vn^fitt to the the [*sic*] Gou⁹ernor to such an inconvenyenc And therefore have referred him to be further treated

m^r Cleyborne to be further treated wth by y^e Comittee

with by y^e Committee herevnder named for encreaseinge his Salary to such a proportion as may enable him to live vppon his owne allowance: The names of the Comittees are these—

m ^r Gibbes.	m ^r Wroth.
m ^r Berblock.	m ^r Smith.
m ^r Casewell.	m ^r Mellinge.
m ^r Nicho: Ferrar.	

or any five of them who are desyred to meet to morrow att 2 a clock in the afternoone att m^r fferrars house.

The Bishops to be solycited.

Wheras itt did appear that ther was a remayne of monneys due §by§ the Collecōns in the hands of divers Bishops itt was moved y^t some course might be thought on for solycitinge their Lordships whervppon m^r Wrote signified y^t to his knowledge Do^r: Ieggon then Bishop of Norwich had received a very great Collecōn out of his Lo^{ps}: Diocesses butt made no returne therof vnto y^e Comp^a: and therfore desyred a Coppie of the breife w^{ch} would shew howe the Collecōns were passed from hand to hand.

My Lo: of Canter:

The Courte thought fitt that my Lord of Canterbury be moved to solycite these Bishops that are in arrear vppon Accompt by his graces Lre for payinge in their Collecōns.

The Kn^{ts} & gentlemen C^r to be called vppon for their subscripōns

Itt was likewise moved that the knights and gentlemen as also the Merchant℄ and Cittizens might be called vppon for payment of their monneys due by subscripōns w^{ch} was referred to this next Quarter Courte to be considered of.

Cap^t Norton.

Intelligence was given y^t one Cap^t: Norton made an offer & would vndertake to pcure 6 straungers skillfull in makinge of Glasse and Beads to goe ouer to Virginia to be employed in the saide worke℄ for the Company for no other consideraōn then onely the halfe profitts of their labo^{rs}, and the said Norton would likewise goe att his owne charge and carry wth him some servant℄ and is contented to putt himselfe vppon the consideraōn of y^e Company for what hee shall have to dyrect

and ouersee the said psons in their saide work℄, concerninge w^{ch} the Court hath referred him to the former Committee to be treated and concluded with. [234]

Intelligence beinge given likewise of one vndertakinge to plante Lyquorish if hee might have consideraçon according to his proposiçons was referred to the said Committees. One Undertakinge to plant Lyquorish.

A Roll for Adventurers to vnderwrite for a Ioynte Stocke ~~was~~ ||for|| pvidinge of Apparrell and other necessities w^{ch} S^r George Yeardley had signified the Colony had great need of, and would be profitable to the Adventurers All the remayne of this former Magazine beinge sould was now offered to such as would please to subscribe what some they would willinglie adventure wherof they were desyred to consyder against the next Courte. A Roll for Aduenturers.

S^r Edwin Sandys signified that S^r Richard Bulkley haveinge purchased two shares of Land of the Comp^a: and vndertaken to plant 100 Personns in Virginia for w^{ch} they had graunted him a Pattent vnder Seale desyred the Company would please to allott him Elizab: Iland neere Cape Codd to plant vppon The Court agreed y^t direcçon should be given to the Gouvernor to that effect. S^r Richard Bulkley to haue his Lande alloted att Eliz: Cittie

M^r Webb moved y^t some course might be taken that the two Indian Maydes might be disposed of to free the Company of the weeklie charge that now they are at for the keeping of them. m^r Webbs mocon for y^e 2 Indian Maydes.

Whervppon some havinge moved y^t they might be sent to y^e So^mer Iland℄ att the charge of this Company itt was thought fitt rather to referr itt to the next Court to determyne therof.

Touchinge m^r Francks request y^t Lieuetenant Pearce might be requyred to give sattisfacçon vnto m^r Franck for y^e charge of 4 men and the goods sent vnto his sonns vppon the last supply w^{ch} m^r Rolfe tooke into his possession to m^r Peirces vse, The Courte ordered that for so much as itt appeared ther was some reckoninge betweene m^r Franck and m^r Peirce nott yett reconcyled nor brought to a head that direcçons should be given to the Gouvernor to examyne the matter of m^r Francks request

Accompt between them and drive itt to some certaine poynte and for the ~~double~~ ||debt|| appearinge to be due to m^r Franck, m^r Rolfe, and m^r Peirce should give good securitie for payment therof to m^r Franck in monny here in England between this and our Lady day next. And that the Gouⁿor shalbe entreated further to take some paynes to enquire out and recouer such Debt^e as shalbe found due to m^r Francks sonne. [235]

ATT A GREAT AND GENERALL QUARTER COURTE HELDE
FOR VIRGINIA THE 13TH OF JUNE 1621

PRESENT

Ea: ~~Nottingham~~ ||Huntington||.

Ea: Southampton.

Lo: Cauendish.

Ea: Warwicke.

Lo: Pagett.

S^r Nicholas Tufton.

S^r Nathaniell Rich.

S^r Dudley Diggs.

S^r Frauncis Wyatt.

S^r Edw: Sandys.

S^r Wm Newce.

S^r Phi: Cary.

S^r Edw: Lawley.

m^r Hide, m^r Robert Smith, m^r Wroth, m^r Gibbs, m^r Earle, D^r: Gulston, m^r Wrote, m^r Sandys, m^r Franck, m^r Oxenbridge, m^r Deputy, m^r Iohn Smith, m^r Nicho: Ferrar, m^r Foxten, m^r Scott, m^r Blande, m^r Biddolph, m^r Swinhow, m^r Casewell, m^r Neuell, m^r Langton, m^r George Smith, m^r Robert^e, m^r Martin, m^r Cole, m^r Kinstone, m^r Widdowes, m^r Combes, m^r Morewood, m^r Barron, m^r Dawes, m^r Pennistone, m^r Bynge m^r Berblock m^r Wiffe, m^r Mellinge, m^r More, m^r Harte, m^r Taylo^r, m^r Symond, m^r Woodall, m^r Ayres, m^r Bagwell, m^r Keightley, m^r Swaine, m^r Askur, m^r Barbor, m^r Dowe, m^r Riseley, m^r Wale, m^r Edwards, m^r Alleynes, m^r Somers, m^r Lawne, m^r Challoner, Captaine Hamor, m^r Ewine^e, Cap^t Maddyson, m^r Tomlyn^e, m^r Lawne, m^r Iad-

win, m^r Darnelly, Cap^t Bargraue, m^r Lewis, Captaine Goldingham, m^r Newporte, m^r Thomas Gibbs, m^r Kelley, m^r Russell, m^r Bromefilde, m^r Porter, Captaine Tucker.

Vppon readinge of the Actes of the former Quarter Courte held the second of May last S^r Edwin Sandys takinge knowledge of 20 Shares of Land bestowed vppon him by the Company did now declare his thankfull accepta^on of the same p^rfessinge that although hee had allredy land in Virginia by adventures of monny paid into the Treasurie more then hee could as yett well plant yett did hee with a gratefull acknowledgm^t of their bounty accept this testimony of their love and favour towards him. [236]

S^r Edwin Sandys
thankfull accep-
ta^on of y^e 20:
Shares bestowed
vppon him

M^r Deputy signified the reasons why hee presented not y^e Accompt of the last years Disbursment^e vnto this Courte, was in regarde ther was not yett monneys sufficient com in to discharge all the Debt^e for goods bought by him and the Comittee for such provisions as were sent with the people then shipped for w^{ch} hee and the Comittee stands yett indebted to diu^{er}s men and the Lottary beinge dissolved and the Companies Stock lyinge in Plate could not be suddenly turned into monney but to very great losse; The Courte thought itt verie fittinge to respite the same Accompt vntill monny did com in fully to pay all those debts m^r Deputy hopinge monny would be gotten by the next Quarter Courte to discharge all the said Debt^e w^{ch} beinge done hee p^rised to p^rsent the Accompt vnto the Courte.

m^r Deputies rea-
sons why hee pre-
sented not an Ac-
compt of y^e laste
years Disburs-
ment^e.

S^r Edwin Sandys likewise moved touchinge his Accompt that wheras att the giveinge vpp of his place hee stood bound for the Company for certaine somes of monny w^{ch} were ordered to be payd vnto him for discharge of the fraught of divers Ships and other things; that for so much as the Ships were not all of them returned butt daylie expected hee therfore desyred his Accompt^e might likewise be respited till the next Quarter Courte against w^{ch} time hee would be redie with his said Accompt^e w^{ch} favour (vppon soe iust a reason) the Courte did willinglie assent vnto.

S^r Edwin Sandys
Accompt^u respited.

The Counsell of
State in Virginia
to meet 4 times a
yeare & to holde
quarterly Session
for one whole
yeare week to-
gether.

Itt was informed that for asmuch as S^r George Yeardley complayned of the small number of the Counsell of State in Virginia remayning alive and of their seldome meetinge by reason they dwell so dispersedly asunder and had no manner of allowance for attendance in that kind itt was the cause hee wanted such necessary assistance as was fitt and requisite: Itt was therfore taken into consideraçon how this defect of Councello^{rs} might be supplied and their meetings hear-after made more frequent, and itt was offered to the iudgment of this Courte wheither itt be not expedient that the said Counsell should be appoynted to assemble fower times a yeare and to hold quarterlie Sessions for one wholl weeke together to assist the Gouverno^r from time to time ||as well|| in matter of Counsell and of State and in all causes of importance as allsoe for redresse of generall and ~~as well~~ pticularr greivances The Courte conceavinge this to tend much to the advancement of iustice in generall did therfore order that the said Sessions should hereafter be duely observed and kept: and that direc-
çon should be given in the Gouvernor^e Instrucçons for establishinge of the same. [237]

An Addiçon to y^e
Counsell in Vir-
ginia

S^r Frauncis Wyatt
Gouvernor.

Itt was likewise signified that care had been taken to make some addiçon vnto the Counsell of State in Virginia of men of worth and quallitie namely S^r William Newce knight Marshall of Virginia and m^r George Sandys Treasuror of the same, And haveinge allsoe formerly chosen S^r Frauncis Wyatt to be the successive Gouverno^r imeadi-
atly vppon the expiraçon¹ of S^r Georg Yeardleys Comission ther remayned now butt one Officer more of the Counsell to be continued or chaunged namely m^r Secretary Porey whose Comission beinge butt for three years ended in Nouember next.

~~Next~~ m^r Deputy therfore moved to knowe their pleasure wheither they would have m^r Poreys Comission renued or the place to be supplied by another whervppon the Company declaringe their desire to make a change; there were fower gentlemen proposed for the said place namely m^r Smith m^r Paramore, m^r Dauison and m^r Waterhowse beinge all of them reco^mmended by worthy psonns for their honestie suffi-

¹Contraction for "the expiraçon."

ciencie and experience in Secretary affaires, butt because no more butt three could stand for the elec^con itt was putt to the question w^{ch} three they would have n^oiated for that purpose, whervppon m^r Smith was dismissed and the other three appoynted to stand for the elec^con who beinge all three putt to the Ballatinge Box choise was made of m^r Dauison by haveinge the maior pt of Balls whoe beinge called in to take notice that the Secretaries place was fallen vppon him did declare his thankfull acknowledgm^t vnto the Company of their favour towards him promisinge to pforme his best to answer their expecta^con of him.

m^r Dauison chosen
Secretarie

Itt was allso agreed vppon request made that hee should be admitted a free Brother of this Company and be of the Counsell of State in Virginia.

m^r Dauison made
free & of the Coun-
sell in Virginia

Itt was further signified that the Counsell had taken into their Con- sidera^con matter of future supporte of the Planta^con to supply y^e Defect^e of the Companies Stocke if they could by procuringe poor people to be sent hearafter to Virginia att the Common charge of the parishes where they live w^{ch} offer beinge made to the lower house of Parlyament att the last Session vppon occasion of great complaynte of the multitude of poore people swarminge in everie Cittie, Towne and parish itt was accepted of that house with a verie great and grate- full applause whervppon the Courte agreed a bill should be drawne to that effect against the next Session of Parlyament and entreated S^r Dudley Diggs, S^r Edwin Sandys and S^r Iohn Dauers to take some paines in the drawinge of the saide Bill. [238]

Poore people to be
sent to Virginia.

a Bill to be drawne
& to be exhibited
to y^e Parliam^t
howse.

A mo^con was made that for soe much as the Companies of London and other Citties and Townes of this Kingdome had Adventured good Sums of monny towards the Plantacon in Virginia some course might be thought vppon to excite them to make some profite of the Lands due vnto them they haveinge allredie done the like in Ireland with verie good Successe, This mo^con was well approved and the Courte entreated the Comittee hearafter named to make some Declara^con to the seuerall Companies Citties and Townes what por^con of Land belongs vnto them in respect of their monneys adventured as allso what the charge wilbe to plant the same with people, and lastly what

A Declara^con to be
made to y^e seuer-
all Comp^s: Citties
and Townes C^r.

returnes of good Comodities they may make in a short time beinge duely prosecuted; The names of the said Comittees are these

S ^r Edwin Sandys.	m ^r Cranmor.
S ^r Iohn Dauers.	m ^r Berblock.
m ^r Deputie.	m ^r Bernard.
m ^r Iohn Smith.	m ^r Casewell.

or any fower of them are desyred to meet vppon the next ffryday followinge to advise aboute the same.

The Companies
thanks to be giuen
to y^e gent y^t makes
y^e treatie of Sustenance C^r.

Intelligence beinge given that a gentleman refusinge to be named hadd written a Treatice for the good of the Plantaçon which consisted of those five generall heads namely Sustenance, Health, Defence, Commerce, and Censure, in handlinge of which hee had with great iudgment observed the causes of y^e Defect^l of everie of them in the Colony and proposed seuerall wayes how to remedie the same; The Court gave order that y^e Companies thank^e should be given vnto the said gentleman wth earnest request that hee would pceed to the finishinge therof and that after itt had been pvsed by a select Comittee itt should be putt in printe to pvse w^{ch} booke the Courte entreated these vizd.

S ^r Dudley Diggs.	S ^r Frauncis Wyatt.
S ^r Edwin Sandys.	m ^r George Sandys.
S ^r Iohn Dauers.	m ^r Secretary Dauison.
m ^r Iohn Smith.	m ^r Gibbs, m ^r Wrote.

or any fower of them. [239]

A Pinnace to be
prouided for carryinge
of Silkworme seed C^r.

m^r Deputy moued y^t in respect some doubt was made that the Seed miscarryed w^{ch} was sent in Doctor Bohun^e Shipp a Pinnace might be provided against September next to carry some more Seed, w^{ch} Seed was allredie spoken for, and promised to be here against that time, w^{ch} Pinnace should also carry in her some Barly and Garden Seeds and some ffruite Trees of two years graftinge; The Courte agreed y^t a Pinnace should be hyred and referred the bargaine to be made for

the saide Ship and all other things therevnto appteyninge vnto the gen^lall Comittees.

M^{rs} Katherine Binion shewed in her petiçon that wheras one Iohn Martin late of London esqre was bound to the Petiçone^{rs} ffather m^r Thomas Binion lately deceased for payment of 205^{li} att certaine daies, shee therfore moved that §in respect§ the said Cap^t: Martin had paide no pt of the said Debt and by reason of his resydinge in Virginia, shee knew not how to come by the same, that the Company would please to take some course to cause him to give her sattisfacōn w^{ch} request being taken into consideraōn itt was conceaved the graunt of her desire would prove an ill president and would disharten many to see a course taken here to force such men to paie their Debts that had fled thither with hazard of their lives for releife and safegaurd in regard of their disabillities to discharge the same; And yett on the other side beinge vnwillinge to make Virginia a Sanctuary for bad Debtors that had wherewithall to discharge the same and yett out of obstenacie or ill consience would take no course that in such cases direcōn should be given (vypon complainte) to the Gouvernor of Virginia to cause y^e ptie indebted to sattisfie the Same out of the proffittē of his labours wth Caution neuerthesse that there be allwaies left vnto every such Debto^r some Competent means of subsistance; Butt if they shalbe found sufficientlie able and yett denyed sattisfacōn out of a pvers willfullnesse that with such ill mindes strict order be taken for §psent§ payment as the equitie of the Debt shall require; And because a question was moved whether y^e Comp^a: had power by their Pattent to remand any back from Virginia to give sattisfacōn here if need did require, Itt was thought fitt that m^r Hide, and m^r Earle did consider of this poynte and examine the authoritie of the Company touchinge the same. [240]

m^{rs} Kathern Binions Petiçon.

The Patent graunted to my Lady Dale for a pticular Plantaōn in Virginia beinge drawne in the vsuall forme and now p^rsented to be read was referred to a Comittee to pvse the same w^{ch} beinge approved by them order was given to m^r Deputy to affixe the Seale thervnto, And ordered further that accordinge to my Ladie Dales request direc-

A Patent graunted to y^e Lady Dale referred to a Comittee.

con should be given to sett outt her Lande where shee desyred if itt were not allredie planted or disposed of the Comittee appoynted to pvse the Pattent are these namely—

m^r Gibbs.
m^r Wroth.
m^r Wrote.
m^r Nicho: Ferrar.

who are likewise entreated to pvse the Pattents graunted to S^r Dudley Diggs and his Associates, and one other to S^r Iohn Bourcher and his Associates and after that m^r Deputy is appoynted to Seale them.

A Patent graunted
to m^r Hamer.

Vppon m^r Hamers mocon for the like Pattent as had beene graunted vnto others order was given for drawinge of itt vp in the vsuall forme and beinge pvsed and allowed of by the former Comittee m^r Deputy is authorized to Seale itt.

A Patent for the
S: I: Company

Vppon mocon of the Somer Iland^e Company that they might have a Pattent of the proporcon of Land given them in Virginia by this Company beinge a thousand Acres the Court referred itt to the Auditor^s to prepare itt against the next Quarter Court and to take the advise of m^r Iermyne therin, And that the Somer Iland^e Company if they pleased might make a draught of the said Patent and present the same to the Auditor^s to be corrected and amended if they shall see cause.

A perfect Accompt
of y^e Lottaries to
be p^rsented to his
Ma^{ty}:

Wheras the Plantacon in Virginia founded by his Ma^{ties}: royall power and prosecuted by the Adventurers and Planters with the charge of aboute one hundred thousand pounds out of their owne pryvate estates without any proffitt as yett [241] hath in these latter years been cheifly Supported by his Ma^{ties}: most graçious graunt of the vse of the Lottaries w^{ch} are now sussed; The Comp^a: for Virginia in this great and generall Quarter Courte have ordered that the Auditor^s of the same Company make vp a true and perfect Accompt of all the said Lottaries §to§ be presented in all humble duety and thankfullnes to his Ma^{ty}: In w^{ch} Accompt is to be sett downe aswell the seuerall Sums received as allsoe the vses whervppon they have been expended for the advancement of the Plantacon, And for the better effectinge

therof, Itt was ordered likewise that the seuerall Treasuro^{rs} of the said Company should forthwith transmitt vnto the Audito^{rs} soe much of the said Accompt^e respectively as belongeth to the seuerall times of their offices.

The appoynted Committee haveinge treated wth Captaine Norton did now reporte that findinge him resolved to plant himselfe in Virginia with his famylie att his owne charges beinge aboute the number of Tenn psonns, and to make offer to carry ouer with him 4: Itallyans and two servants of his owne whome hee had pswaded to goe wth their wives and Children on Condiçon they may be furnished in good manner att the Companies charge, which six psonns shall within three moneths after their Arivall in Virginia sett vpp a Glasse ffurnace and make all manner of Bead^e & Glasse and to content themselvs with the one halfe, and the other halfe of their labours to be the Companies wherof they desire a Patent of previledge for seaven years that they and no other in that space may sett vpp the said Work^e, and if any other of y^e same profession be sent they to come vnder their parte and to be imployed by them in the said worke; In consideraçon herof and in regard of the benefitt that is like to come to y^e generall Company; The Committee certefyed they were of opinyon y^e Comp^a might graunt him such a Patent, without makinge presydent for Monopolies; And forasmuch as Cap^t Norton himselfe vndertakes the ouersight and gou⁹ment of this worke and pmiseth to instruct and traine vp Apprentizes or any other pson that the Company shall appoynt to be taught therin The said Committee have thought fitt to allowe him a fifte pt of the Companies moytie, And besides hee beinge desirous of a quantitie of Land, for so much as they found him soe free and generous in his proposiçons they have ppounded 400 Acres of old Adventure to be bestowed vppon him for his inheritance, w^{ch} seuerall proposiçons the Courte takinge into their consideraçons did agree first that the said psons should be furnished in the best manner at the Comp^a: charge, and shall have the Patent they desire for seaven years. [242] Provided that in leive of their moytie of Beads w^{ch} is the matter of Trade with the Indians properly belonginge to the Companie they take a valuable consideraçon either outt of the Companies moytie of Glasse or in Corne or other like Comodities as

The Committees re-
porte concerninge
Cap^t Norton.

the Gouverno^r and Counsell of Virginia shall thinke meete, and for Cap^t Nortons owne allowance the Courte have confirmed vnto him the fifte parte of their moytie, and the proporcion of Land hee desires, And shall have two men more for cuttinge of wood for the sayd work^e, wherof hee is to furnish out one att his owne charge.

The Comittees re-
porte concerninge
m^r Cleyborne

The Committee appoynted by the Preparative Courte to treat with m^r Cleyborne (Comended and proposed for the Surveyo^{rs} place) have inge mett the next day and takinge into their consideracons the allowances that a former Committee had thought fitt to State that Office withall in respect of the service hee was to pforme aswell in generall as pticuler Surveys did agree for his Salary to allow him Thirty pounds p annum to be payd in two hundred waight of Tobacco or any other valuable Comoditie growinge in that Country and that hee shall have a convenyent howse pvided att the Companies charge and Twenty pounds in hand to furnish him with Instruments and book^e fittinge for his Office w^{ch} hee is to leave to his Successor. Butt for the matter of his dyett w^{ch} was formerly appoynted to be wth the Gouvernor findinge therein some difficultie & inconvenience they had in leive therof thought fitt to allowe him the free transporte of a third pson besides himselfe and his servant and have given him 200 Acres of Land of olde Adventure for an inheritance; And in case hee shalbe supplied in matter of Survey for any pryvate man his wages shall not exceed six shillings p diem besides his Lodginge and Dyett w^{ch} hee that imployes him shall pay him for; The said allowance beinge now putt to the question this Court did ratifie & confirme And fyndinge m^r Cleyborne contented to goe vppon the sayd condicons have accepted of him to be surveyo^r for three years.

The Comittees re-
porte of him y^t
vndertakes to
plant Lyquoris.

The Committee appoynted to treat with him that vndertooke to plant Lyquorish touchinge his demaunds of the Company for his imploy^m^t in that kinde to their vse did now make reporte therof vnto the Courte, w^{ch} beinge taken into further consideracons and fyndinge itt a worke of no such difficultie butt that everie ordinary man might soone learne howe to plant the same and beinge vnwillinge to putt the Company to any further charge then needs must did therefore refuse to entertaine this bargaine especially vppon such pposicons as the vndertaker had offered. [243]

Itt was signified vnto the Courte that an Apothecary offered to trans-
 porte himselfe and his wife att his owne charge to Virginia if the
 Company would please to give them their transporte of two Children,
 the one beinge vnder the age of eight and the other a youth of good
 years: w^{ch} offer the Courte did verie well like of in respecte of the
 great want of men of his p^fession and beinge putt to the question did
 agree thervnto; Provided that the said Apothecary att his Cominge
 ouer did exercise his skill and practise in that profession w^{ch} itt should
 be lawfull and free for him to doe and to that end should be recom-
 ended to the Gouvernor.

An Apothecary al-
 lowed to haue y^r
 passage of two
 Children free

Itt beinge moved in the former Courte and referred to the considera-
 cō of this Quarter Courte that the remaynes of monny due by Col-
 lecōns in the hands of diuers Bishops might be called vppon and
 brought in; The Courte desyred y^t itt would please my Lord of South-
 ampton to ioyne with my Lords grace of Canterbury to sollicite those
 Bishops by Lres for bringinge in of the same.

The Lo: of South:
 desired to ioyne
 wth y^e Lo: grace of
 Cant: to sollicite y^e
 Bishops C^r.

And beinge likewise moved that the Knight^e and gentlemen as allsoe
 the Marchant^e and Cittizens might be earnestly called vppō for pay-
 ment of their monneys due by their subscripōns, Itt was recom-
 mended to the care of the Audito^r to dyrect some course touchinge
 the same.

The moōon for sol-
 licitinge Kn^{ts} C^r.
 for their subscrip-
 cōns referd to y^e
 Audito^r.

Wheras itt was referred to the Consideraō of this Courte for Adven-
 turers to resolve what sōme of monny they would willinglie subscribe
 to pay for raysinge a Ioynt stocke towards the p^{ro}vidinge of Apparrell
 and other necessities wherof the Colony stood in greate need all their
 former store beinge spent and therfor this Supply the more like to be
 putt of wth the greater proffitt to y^e Adventuro^rs The Courte here-
 vppon agreed that m^r Webb should goe aboute with the Role that was
 allredie drawne to that effect for Adventurors to vnderwrite.

m^r Webb to Carry
 the Role

Wheras the Comp^a: were Adventurers in the olde Magazine the sume
 of 800^{li}: and many other pryvate men of the Company interested in
 it allso; Itt was ordered that the Audito^r for the said Magazine vizd

Magazine to be
 audited

m^r Keightley.
 m^r Cranmer.
 m^r Bull.

should meete to audite the said Accompts wherby they might knowe [244] what they were indebted as allso what they were to receave and for their better assistance and help in their proceedinge therin the Courte have added vnto them—

m ^r Ayres.	m ^r Mellinge
m ^r Bland.	and
m ^r Casewell.	m ^r Cuffe.

y^e 2 Indian mayde
to be sent to y^e So-
mer Iland

Itt beinge referred to this Courte to dyrect some course for the dispose of two Indian maydes haveing byne a long time verie chargeable to y^e Company itt is now ordered that they shalbe furnished and sent to the Summer Ilands whether they were willinge to goe wth one servante apeece towards their preferm^t in marriage wth such as shall accept of them wth that means—wth especiall dyreccon to the Gou⁹nor & Counsell there for the carefull bestowinge of them.

A Comittee for
drawinge y^e Gou⁹-
nors Instruccons

Itt beinge moved that a Comittee might be appoynted for drawinge vpp of the Gouerno^{rs} Instruccons and Comission as likewise for the Th^rer and Secretary to expedite their dispatch in respect of their p^rfixed time of their settinge forth drewe neere, The Courte nōiated these followinge to pforme the same vizt.

S ^r Edw: Sandys.	m ^r Wroth.
S ^r Io: Dauers.	m ^r Io: Smith.
m ^r Deputie.	m ^r Nich: fferrar.
m ^r Gibbs.	m ^r Casewell.

Ca: Bargraues Pe-
tiçon for examin-
inge of Wittnesses.

Captaine Bargraue haveinge petiçoned to this Courte that some of the Counsell (beinge Parlyament men) might be appoynted to examine certaine wittnesses of his beinge nowe in Towne afore their goinge back to Virginia in the cause in difference betweene him and S^r Tho: Smith for w^{ch} hee had petiçoned to the Lower house of Parlyament; The Courte made him aunswere that for soe much as Parlyament men were named in his Petiçon they durst not meddle therwith nor would the Parlyament accept of Deposiçons taken in any pryvate Courte without the Personall appearance of witnesses themselvs vnto the house att the hearinge of the cause besides itt was held indyrect and

vnequall to give way to his desire, vntill S^r Thomas Smith himselfe were made acquainted with his Petiçon and did assent vnto this Courte of examyninge Witnesses.

Vppon the humble petiçon of Ioice Lodge the Courte have ordered that shee shall have one Share of Land of 50 Acres for the Adventure of her psonn and her thirds out of the Land due for her psonall Adventure ~~due for~~ of her said deceased Husband, and besides the Courte have been pleased to bestowe vppon her one Share of Land more ~~for~~ of one hundred Acres old Adventure in consideraçon of her goods that she sayth shee left behind her in Virginia, And accordinge to her request ordered the same to be assured vnto her vnder the Companies Seale.

Ioice Lodge Peti-
çon.

m^r Peirce movinge the Courte would please to assigne him the place wher hee desires his land might besett outt, some of Martin^e Hundred alleadged y^t the said Lands were allredie possessed by them [245] butt m^r Peirce affirmed the contrarie, whervppon the Courte ordered that further enquirie should be made, and beinge found who hadd the pryoritie or first possession itt should be assigned accordinglie.

m^r Peirce moçon
to appoynt him y^e
place wher hee
desires his Land
may be layd out

Intelligence beinge given of two Mynisters y^t offered themselvs to goe for Virginia the Court referd them to be treated & concluded with by y^e Comittees

2 Mynisters.

And for somuch as S^r Fraunces Wyat desyred hee might make choyse of one that was willinge to goe wth him y^e Courte assented thervnto.

S^r Fra: Wyate.

M^r Deputie moved that the Courte would give order for sealinge y^e Contract made wth m^r Ewens, m^r of the George beinge drawne vpp accordinge to the Contract made withim which was ratyfyed by a former Courte The Courte thought fitt to Commend itt to his care to see the same pformed accordinglie as allso to seale his Comission.

The Contract wth
m^r Ewens to be
sealed.

M^r Edward Hackluite assigned two Shares of 25^{li} Adventure to one Iohn More beinge next heire to Richard Hackluite his father deceased desyred itt might pass the approbaçon of this Courte which was accordingly graunted they findinge his said ffather vppon search of the booke no way indebted to the Company for y^e same.

m^r Edmond Hack-
luite 2 shares to
Io: Moore.

m^r Ambrose Wood
to have 4 shares of
Land C^r.

Vppon credible informaçon that Ambrose Wood of Hamsey in the County of Sussex gent^r is the next heir vnto Cap^t Thomas Woode deceased (beinge his onely brother) w^{ch} Thomas Wood adventured the some of 50^{li} towards the Plantaçon in Virginia Ann^o: 1609 as by his bills of Adventure may appeare; Itt is therfore ordered by a generall consent that the said Ambros Wood shall have allowed and confirmed vnto him in the right of his said Brother fower Shares of Land in Virginia due for the Adventure of the said 50^{li} paid into y^e Treasury as allso one Share of Land more due for the Adventure of his Broth-ers pson to Virginia wher hee dyed longe since.

AT A GENERALL COURTE HELDE FOR VIRGINIA
THE 25TH IUNIJ 1621

PRESENT.

m^r Iohn Ferrar.
m^r Deputy.
m^r Iohn Wroth.
m^r Gibbs.
m^r Robert Smith.
m^r Nicholas Ferrar.
Captaine Bargaue.

m^r Berblock.
m^r Palmer.
m^r Tucker.
m^r Swinhoe.
m^r Ruggell.
m^r Blande.

m^r Bill.
m^r Meuerell.
m^r Morewoode.
m^r Baynam.
m^r Widdowes.
m^r Vyner.
m^r Harte.
m^r Cuffe.

m^r Geo: Smith.
m^r Hackluit.
m^r Penistone.
m^r Robert.
m^r Mellinge.
m^r Raph Fogge.

M^r Deputie signified vnto this Court that the occasion of their meet-inge this afternoone was to lett them know how farr the Comittees (haveinge mett the 18th of this p^rsent monneth) had pceeded with

Captaine Norton [246] and the Italian Straungers that are to be sent to Virginia to make glasse and beads; That wheras the last Quarter Courte had approved of a bargaine made wth them by the former Committee for the furnishinge and transportinge of eleven psonns for the said worke att the Companies charge w^{ch} amounted to the Sume of att least 150^{li}, the same haveinge been againe taken into consideraçon att this last meetinge and fyndinge the Companies Stocke no way able to pforme the same (as thinge now stood) Itt pleased m^r Sandys outt of a desire to advance soe hopefull a worke and to ease the Company of the present charge to offer to take the said Itallyans to himselfe in leive of those men that were to be allowed him by the Company in respect of his office and that the Company should be att no further charge then for transportinge and furnishinge two of their wives and three of their Children w^{ch} offer by a Comittee was willinglie embraced and in leive therof they thought fitt that the said workmen should be appropriated vnto m^r George Sandys as Treasuro^r vntill the Comp^a: shall please to give him a valuable consideraçon for them, w^{ch} workmen have couenanted within three monneths after their arrivall in Virginia to sett vp a Glass Furnace and to make Glasse and Beads for the Company in the Condiçon of Tennant^e att halfe for the space of Seaven years for w^{ch} time they are to have a Pattent of pryveledge that they onely and no other except such as the Company shall send vnto them may be pmitted to make round Glasse drinckinge Glasse or Beads and in lieve of their moytie of their Beads they ar to have valuable consyderaçon in some other Comodities att such Rates as the Gouernor and Counsell of State in Virginia shall thinke fitt who are likewise to stint and propoçon what quantytie of Beads they shall thinke requisite to be made from time to time. And in respect Captaine Norton is to have the ouersight & gou⁹ment of the said Italyans ther is graunted vnto him on fifte pt of the Companies moytie to dispose of att his pleasure and besides hee is to have 400 Acres of Land olde Adventure for an inheritance.

m^r Geo: Sandys
offer to take y^e
Italians to him-
selfe in lieue of
those y^e are to be
allowed him by
the Comp^a:

To sett Vp a Glass
Furnace within 3
monneths after
their ariuall C^r.

Captaine Norton.

Which seuerall pposiçons and allowances lymited wth so good Cautions this Courte did well approve of and beinge put to y^e question did willinglie condiscend vnto them.

Cap^t Norton to be redy wth in 14 daies
 Captaine Norton likewise p^mised to be redie with his people within 14 daies to take Shippinge.

m^r Raph Fogge 5 shares to be confirmed vnder y^e Seale.
 M^r Ralph Fogge moved that the five Shares confirmed vnto him by the Quarter Courte held the second of May last might be testified vnder the Companys Seale for that many vppon that assurance would be moved to goe ouer to plant for his sake, whervppon itt was agreed that hee should have a Certificate to that effect Sealed. [247]

AT AN EXTRAORDINARY COURTE HELDE FOR VIRGINIA

Y^e 2TH IULIJ 1621

PRESENT.

S ^r Iohn Dauers.	m ^r Wroth.	m ^r Iohn Smith.
S ^r Edwin Lawley.	m ^r Gibbs.	m ^r Iohn Bland.
m ^r Deputy.	m ^r Wrote.	Captaine Bargraue.
m ^r George Sandys.		

Wheras itt was agreed and ordered by the former Courte y^t for somuch as the Company were not able to p^forme the bargaine made wth the Glasse men without bringinge themselvs into Debt (w^{ch} my Lord of Southampton did not desire) and had often given Caution hereof to the Comp^a: That therfore they should be turned ouer to m^r George Sandys Treasurer of Virginia for a certaine time in lieue of those hee should have hadd for his place att the Companies charge vntill a valuable consideraçon might be given him for them by the Company, yett haveinge now againe taken the same into consideraçon and findinge itt may proue a matter distastfull to many, that a Bargaine of this nature should be translated from the Company to one mans pryvate vse and benefitt (w^{ch} Act allso was found to contradicte an order of a great Quarter Courte held the 13th of Ivne last) Itt was therfore thought fitt and is now agreed and ordered (and that wth the consent

The bargaine wth y^e Glasse men entertayned againe by y^e Company.

and good likinge of m^r Georg Sandys who said that hee desyred them not to preiudice the Company, butt to sett the said worke a foote that was like to fall for want of means) that the Company should againe entertaine the Bargaine into their hands though they did some what bringe themselvs in debte for the same, and that m^r George Sandys should have his men taken of the publike in Virginia who should be furnished from hence with apparrell, and other necessities in as good manner as any other of the Companies Tennant^e, w^{ch} Course was well approved of by the Courte.

Captaine Bargraue moved y^t the Comp^s: would please to appoynte some to take hearinge of the differences between him and Captaine Martin, (Wittnesses haveinge been alredie examyned on either side and certified as would appeare) to thend they might be accorded without longer delay or farther sute. Whervppon the Courte thought fitt that some five of the Counsell should be entreated to meet on ffryday morninge next att m^r Ferrar^e house to heare and determyne the same if they cann or otherwise to make reporte how the cause stands between them, and in whome y^e default is that an agreement cannot be made. [248]

5 of y^e Counsell to
determine y^e dif-
ferences betweene
Cap^t Bargraue and
Cap^t Martin

m^r Thomas Iadwin moved that wheras Thomas Woodliffe stands indebted vnto him (§as§ by bond dated the 8: of Iuly may appeare) in the some of 20^l for Comodities lent him then att his goinge ouer to Virginia w^{ch} should have been paid in Ivne followinge, that for soe much as the saide Woodliffe is now dead and hath left a sufficient estate to discharge his Debt^e that therfore the Court would please to give order to y^e Gou^ono^r to take some course that hee may be sattisfied for the saide Debt out of the psonall Estate of the said Woodliffe w^{ch} mo^oon the Court conceaving to be verie reasonable ordered that direc^on should be given to ye Gouvernor to see that right be done accordinglie.

m^r Tho: Iadwine
mo^oon thought
Very reasonable

M^r Deputy signified of a letter hee had receaved from m^r Gookin of Ireland who desyred y^t a Clause in the Contract between him and the Company touchinge Cattle w^{ch} hee had vndertaken to transport to Virginia after the rate of eleven pounds the Heiffer and Shee Goat^e

A Lre: from m^r
Gookin.

A lre written to
m^r Gookin.

att 3^{li}: 10^s apeece for w^{ch} hee might take any Comodities in Virginia att such prizes as the Company here had sett downe hee desired y^t those words might be more Cleerly explyained; And to this effect m^r Deputy signified y^t they had drawne a letter in the name of the Counsell and Company vnto m^r Gookin declaringe that their intent and meaninge was itt should be lawfull and ffree for him and his ffacto^{rs} to Trade barter and sell all such Comodities hee shall carry thither att such rates and prizes as hee shall thinke good and for his Cattle shall receive either of the Gouvernor or other pryvate psonns any of the Comodities there growinge att such prizes as hee cann agree; And lastly y^t accordeinge to m^r Gookins request in his said lre they had promised y^t hee should have a Pattent for a pticularr Plantacon as large as y^t graunted to S^r William Newce and should allso have liberty to take 100 Hoggs out of the fforrest vppon condiçon that hee repay the said number againe vnto the Company within the tearme of seaven years; Provided that hee vse them for breed and encrease and not for present slaughter.

A lre written to
y^e Gouverno^r &
Counsell of Vir-
ginia to this effect

And further to this effect they had allso drawne a letter to the Gouvernor and Counsell of State in Virginia both w^{ch} beinge now p^sented and read the Court did very well approue of and gave order that the Seale of the Counsell should be affixed to that addressed to m^r Gookin and that some of y^e Counsell should signe the other to the Counsell of Virginia. [249]

m^r Kettlebie to be
recomended to y^e
Gou⁹nor

Itt was signified y^t one m^r Kettleby made offer to goe att his owne charge to Virginia vppon a Discouery now att the first with an intent there to settle and plant himselfe; for w^{ch} cause hee desired to be recomended to the Gou⁹nor; w^{ch} moçon the Courte conceauinge to be verie reasonable did willinglie condescend there vnto.

Some of y^e Coun-
sell to meete
aboute y^e Gouvern-
o^{rs} Instru^ço:

Lastly itt was moved and thought fitt that some of the Counsell appointed would please to meet vppon this next Thursday in the afternoone att m^r Ferrars howse about the Gouverno^{rs} Instru^çoens.

AT A COURTE HELDE FOR VIRGINIA THE 10TH IULIJ 1621

PRESENT.

S ^r Iohn Dauers.	m ^r Alder: Iohnson.	m ^r Gibbs.
S ^r Antho: Palmer.	S ^r William Newce.	m ^r Wrote.
S ^r Phillip Cary.	m ^r Deputy Ferrar.	D ^r Winstone.
m ^r W ^m : Spencer.	m ^r Wroth.	D ^r Anthony.

m^r Georg Sandys.
m^r Smith.
m^r Nicho: Ferrar.
m^r Risley.

m ^r Holloway.	m ^r Casewell.	m ^r Lawrence.
m ^r Cartwright.	m ^r Barnarde.	m ^r Couell.
m ^r Abdy.	m ^r Wiseman.	m ^r Leuor.
m ^r Tucker.	m ^r Ayres.	m ^r Newporte.
m ^r Palmer.	m ^r Edwards.	m ^r George Smith.
m ^r Whitley.	m ^r Ruggell.	m ^r Fellgate.
m ^r Darnelly.	m ^r Essington.	m ^r Morrice.
Cap ^t Hamor.	m ^r Chamberlyn.	m ^r Meuerell.
m ^r Bull.		

m ^r Bagwell.	m ^r Woodall.	m ^r Hackett.	m ^r Cuffe.
m ^r Ewre.	m ^r Wells.	m ^r Colethurst.	m ^r Webb.
m ^r Roberte.	m ^r Harte.	m ^r Dawes.	

M^r Deputie signified, that the occasion of warninge the Courte this present day was to acquainte them with the aryvall of the Bona Noua rydinge att anchor neer the Ile of Wight by w^{ch} Ship haveinge received divers letters, and one generall letter from the Counsell of State in Virginia directed to the Company here hee thought fitt to imparte itt vnto them att this meetinge and thervppon prayed they would attend

The Bona Noua
returnd

The Tres reade.

the hearinge of them, w^{ch} beinge read the pticular relaçons gave the Companie verie great content to heare that soñ Staple Comodities, as Vines, and silke, began to be planted accordinge to the Companies former diřections and that they prospered with soe good successe, as allso to heare of a confirmaçon of a Peace, and of a League wth the Indian Kinge wherby not onely a great trade and comēce wth them hereafter for Corne and other Comodities is like to ensue and good means allso for converting them to Christianitye and to draw them to live amongst our people; [250] Butt fitt occasions likewise seems now to be offered of further Discoueries vp into the Countrie both for the findinge out of the South Sea and Certaine Mynes menconed in the said letters ||w^{ch}|| will vndoubtedlie conduce ||to the|| great hono^r and enlargment of the generall Plantaçon in a short time; Ther was also read vnto the Company a Relaçon of three seuerall Voyadges made this last Sum̃er one to the Southward to Roanocke made by m^r Marmaduk Rayner.¹

3 Seuerall Voyadges made one by m^r Marmaduk Reyno^r

a 2^d by Ensigne Sauage.
a 3^d by m^r Dirmer.

A Second by Ensigne Sauadge in the great Bay wherin is a relaçon of a great Trade of Furrs by Frenchmen: A Third m^r Dirmers Discoueries from Cape Charles to Cape Codd vp Delawarr Riuer, and Hudsons Riuer beinge butt 20: or 30 Leagues from our Plantaçon and within our lymitē in w^{ch} Rivers were found diue^{rs} Ships of Amsterdam and Horne who yearly had there a great and rich Trade for Furrs, w^{ch} have moved the Gouvernor and Counsell of State in Virginia earnestly to sollicite and invite the Company to vndertake soe certaine and gainefull a Voyadge m^r Chamberlyn likewise informed the Comp^a: of the great Trade that the Frenchmen had in those pts of Virginia to their infinite gaine w^{ch} might wth farr less charge and greater ease be vndertaken by the Company.

The Ship to departe for y^e Porte of Middlebrough.

This beinge done m^r Deputy further signified that the Bona Noua ~~was~~ ||nowe|| returned from Virginia, staid onely for direcō from hence to what Porte shee shall repayre, shee beinge laden wth some 40: or 50000 waight of Tobacco (as hee heard) for the generall Invoice hee had not as yett received wherof by m^r Peirce y^e Cape Marchantē

¹ These letters were probably those mentioned in List of Records, Nos. 238, 241, 243-245, 247-249, pages 147 and 148, *ante*.

Ires there appeared to be about 16000 waight vppon the Accompt of the Old Magazine and about 11000 vppon the Accompt of the last year^e Magazine whervppon the Court^e resolu^on was that ther should be order giuen to y^e m^r to dept instantlie for the Porte of Middleburrow in Zealand and that the goods should be deliue^d to m^r Arthur Swaine sentt ouer formerlie as the Companies Factor and that hee should take them vpp accordinge to the Invoyses, and receave the ffraight of 3^d p pound due vnto the Company and afterwards deliuer the generall parcell to the Owners or to whome the Owners here should consigne them; And in pticular the Adventurers of the Old Magazine concerninge the disposinge of theirs did order.

The Goods to be deliuered to m^r Arthur Swaine and hee to receaue y^e Fraight of 3^d p pound.

That m^r Swaine vppon receipt of the ffraight of 3^d p pound should deliuer the Tobacco belonginge vnto them to m^r Iohn De Clark whom by the pswasions and recomenda^ons of m^r Alderman Iohnson and m^r Chamberlyn they did choose to be their ffacto^r.

m^r Swaine to deliuer y^e Tobacco to m^r Io: De Clark

They entreated m^r Abdy, m^r Chamberlyne, m^r Essington and m^r Bull to meete and consult concerninge the sale of this Tobacco nowe come home and ther vppon to write their letters of advise and direc^on to m^r Iohn De Clark speedylie to try the markett and to returne them answer how the prizes went, m^r Alderman pswadinge that the deferringe of the sale a little while would cause a good rise in the price.

A Comittee to Consult about y^e sale of y^e Tobacco.

M^r Chamberlyn and m^r Bull were entreated to keep accompt of this present returne and to take order for discharge of the ffraight and all other duties and itt was ordered that all such monneys as m^r Iohn De Clark should receave vppon Sale of the said Tobacco should be made ouer to m^r Abrah: Chamberlin and m^r Richard Bull who for y^e same are to be accomptable to the Magazine Company. [251]

m^r Chamblen and m^r Bull to keep accompt of this present returne

Lastlie vppon the importunate desire of the Adventurers of the Magazine to come to some head in this intricate and tedious Stocke, m^r Essington was desyred with all expedi^on to make redy the Accompt some time the next weeke and to present itt to the Audito^{rs} appoynted by the last Quarter Courte to whome for the speedyer pfectinge of the buisines were added m^r Abdy & m^r Bull.

m^r Essington to make redy y^e Accompt.

m^r Bolton y^e Myn-
ister entertayned. Vppon the Right Honorable the Ea: of Southamptons reco^menda^çons
of m^r Bolton Minister for his honestie and sufficiencie in Learninge,
and to vndertake the care and charge of the Mynistry, The Company
have been pleased to entertaine him for their Mynister in some vacant
place in Virginia and have therfore referred him to the Comitee to be
treated and concluded wth touchinge his allowance and seated where
they shall thinke fitt and most convenyent for him.

m^r Iohn Pountice
to be Vice Admi-
rall. A mo^çon was made y^t m^r Iohn Pontice §aswell§ in respect of his
owne worth and sufficiencie as allso in reward of his paynes and
endeavo^{rs} in the Companies service that some place of Comaund
might be bestowed vppon him, and for somuch as ther was so great
vse of a Vice Admirall in Virginia to take care of the Companies
Ships that cam thither and of other matters thervnto appteynge; Itt
was therfore desired the said place might be conferred vppon him w^{ch}
the Courte consented vnto, and ordered his Comission to be drawne
vpp for the execu^çon of the said place, provisionally for one yeare,
and after duringe the Companies pleasure reco^mendinge itt to y^e next
Quarter Courte for confirma^çon.

Comittees to ex-
amine m^r Peirce
Accompt^l. ffor somuch as m^r Peirce Cape marchant had now sent home his
Accompt^l by this Ship the Bona Noua, Itt was desired that the Com-
ittees appoynted to meet to morrow, would please to examine and
pvse the same.

The Contract wth
m^r Ewens to be
sealed The Contract made wth William Ewens m^r of the George accordinge
to an order of Court held the second of May last beinge now presented
and read, and likewise that pte w^{ch} hee was to seale vnto the Company
The Court did approue therof and gave order to m^r Deputy to see
them sealed, And did allso allowe of the letter written on m^r Ewens
behalf to the Gouvernor and Counsell of State in Virginia who were
entreated to pcure for m^r Ewens what freight they could homewards
in recompence of the losse hee susteyned by carryinge a less freight
outward in the George then is vsuall for a Ship of her burthen onely
to accomodate S^r Frauncis Wyatt and some other gentlemen the better
in the said Shipp.¹

¹ This contract is cited in List of Records, No. 256, page 149, *ante*.

Itt beinge signified y^t Cap^t Norton had p^rsented a bill of a greater charge then hee had form^{ly} p^oposed vnto the Comittee amountinge to 80^{li} w^{ch} hee demaunds p^tly for cleeringe the apparrell of the Itallyann ~~gentlemen~~ glassemen engaged for debt, and p^tly for buyinge some materialls for their Glass worke wthout w^{ch} they could doe nothinge w^{ch} if the Compa: would please to discharge and sattisfie they should have for their securitie to be repayd againe the goods of the said Itall-yans turned ou⁹ to them [252] vntill y^e said workmen might be able to sattisfie that debt out of the profitte of their labo^r, This beinge taken into considera^on itt was at length thought fitt that hee be referred to the former Comittee to be treated wth aboute the same, who are to make reporte how itt may be done wthout too great charge vnto the Company.

Cap^t Norton presentinge his bill is referred to y^e Comittee

Itt was signified that the Ladie Lawarr desyred the Court would please to graunt her a Comission dyrected to S^r Fraunces Wyatt, m^r George Sandys and others to examine and certifie aswell what goods and monny of her late husbands deceased came to the hande of m^r Rolfe in the year 1611 and to require y^t accordinge to his promise shee may be sattisfied. And allso to cause the Cape Marchant^e and some others of the olde Plante^s to examine how Captaine Argoll disposed of and to whose vse hee imployed the goods and provisions transported in the Neptune 16i8 appearinge to be of no lesse value then 1500^{li} wherby shee is to demand sattisfaca^on for the same; The Courte hervppon ordered that the Gouverno^r, m^r George Sandys, m^r Thorpe and some others whom they should thinke good should take the p^rmisses into their considera^on, and enquire what goods and Debt^e belonged to the late Lord Delawarr deceased and to whose hands they came and were comitted, And whatsoever shall appeare vppon examina^on and prooffe to be due to cause a restitu^on to be mad to their vttermoste value, or otherwise certifie vnto the Company here, that they may take such order therin for the recouery of them or the value as allso of y^e debt^e as to iustice shall apptaine; Provided that her La^p: out of the worth of the said goods take order y^t the Company may be sattisfied for the Debt they stand engaged for her said husband the Lord Lawarr accordinge to an order of Court the 14th of March 16i8 and an other formerly made the 14th of Ianuary 16i8.

My Lady Lawarrs request to graunt her a Comission Cr.

Request made to
y^e Aduenturers to
vnderwrite to y^e
Role.

Request was made that such adventurers as were willinge to subscribe towards a Ioynt Stocke for sendinge a Magazine to Virginia to supply y^e Colony wth apparrell and other necessities (wherof they were in great want) would please to vnderwrite to the Roll of pchment what some they are willinge to adventure y^t pparaçon might be made accordinglie in due time some haveinge allredie begann to subscribe to that purpose.

Cap^t Madison &
his wife to haue
their passage free,
& 2 shares of Land
and to haue 2 Boys
sent him

The Court beinge informed that the Comittee for the distributinge of Shares vppon merritt haveing mett the iith of Iune last and taken into their consideraçons the petiçon of Cap^t: Maddison, and fyndinge that hee hadd deserved well of the Company by his constant endeavo^{rs} many waies to doe them service, did thinke fitt for his encourragment to graunt him and his wife their transport att the Companies charge and two shares of Land and hearafter when the Comp^a: shalbe able they thinke fitt hee have two boyes sent him to ||be|| his Apprentizes out of the first number shalbe sent, & besides shalbe especially recomended to the Gouvernor, all w^{ch} allowances the Court did very well approve of and assented thervnto.

2 Boys to be sent
to m^r Whittakers,
and to haue y^e re-
ward of Tobacco
confirmed vnto
him.

ffor so much as itt appeared y^t m^r Whittakers had obeyed the Companies orders in buildinge a Guesthouse for entertaynment of Sicke psonns and for y^e releife and comforte of such as came weake from Sea and had allso begunn to plant vines, Corne and such good Comodities and rayled in 100 Acres of ground, itt was moved y^t the Court would please to bestowe some reward vppon him for his better encourragment in soe good a course, Whervppō itt was agreed and ordered that hee should have two boyes sent him when the Comp^a: shalbe able and that the reward of Tobacco allowed him by the Gouvernor of Virginia shalbe confirmed vnto him. [253]

m^r Cutbert Essing-
ton to be sett free
and to haue his
passage free to
England.

Vppon the humble petiçon of m^r Cutbert Essington y^t the Court would please to pay for his passage home and free him from the Condiçon of a Tenñant to y^e Phisicians place seeinge Doctor Bohune wthout his consent or knowledg had tyed him thervnto, wheras hee onely went vppon his owne Adventure with D^r Bohune (as hee made

to appear vnde^r the Docto^r hand) in regard herof and for that itt was testified by the Counsell of States letters to the Company hee had done good service in the ffight, wth two Spanish Ships of warr, wher Doctor Bohune himselfe was slaine; The Court was pleased to graunt him his request to sett him free and pay for his said passage

Vppon the humble petiçon of m^{rs} Newporte widdowe, the Court ordered that S^r Frauncis Wyat thelect Gouvernor and the rest of the Counsell of State in Virginia should be treated to sett out 32 Shares of Land in Virginia heretofore bestowed vppon Cap^t Christo: Newporte her late husband deceased in reward of his service with an addiçon of three wholl Shares for the psonns of 6 men transported att her charge in the Ionathan Ann^o 1619 in any place not alredy disposed of w^{ch} is comēded to the care of Captaine Hamer to see itt done accordinge to m^{rs} Newporte desire.

S^r Fra: Wyatt to sett out 32 shares of Land for m^{rs} Newporte, and 3 whole shares for 6 men transported.

The Courte takinge the petiçon of Thomas Webb into their considera-
 cō have agreed and ordered y^t hee shall have 3. Shares of Land old
 Adventure in consideraçon of his Adventure of his monny and psonn
 into Virginia and to desire the Gouverno^r of Virginia att his cominge
 ouer to sett out his said Land for him in any place not alredie
 disposed of.

Tho: Webb to haue 3: shares of Lande.

Vppon the humble petiçon of Ioice ffreake a poore distressed widdowe
 that the 2 Shares of Land formerly bestowed vppon her by order of
 Courte the 13th of Ivne last in respect of hir psonall adventure and for
 some certaine goods shee p^rtended shee had lefte in Virginia into the
 Companies store might be confirmed vnto her vnder the Companies
 Seale and direcçon given for settinge out of the said Land, Itt is ordered
 that Shee shall have a graunt or confirmaçon of the said Lands vnto
 her, and her heirs and assignes for ever vnder the seale of the Company.

Ioice ffreakes 2 shares to be confirmed to her vnder y^e Comp^a: seale.

AN EXTRAORDINARY COURTE Y^r 12th OF JULY 1621

PRESENT.

m ^r Deputy Ferrar.	m ^r Bromefeild.	m ^r Bartham.
m ^r Brooke.	m ^r Riseley.	m ^r Combes.
m ^r Wroth.	m ^r Bargraue.	m ^r Baynam.
m ^r Gibbes.	m ^r Rogers.	m ^r Robert ^e .
m ^r Wrote.	m ^r Blande.	m ^r Whitley.
m ^r George Sandys.	m ^r Casewell.	m ^r Smith.
D ^r : Gulstone.	m ^r Couell.	m ^r Woodall.
m ^r Nicho: Ferrar.	m ^r Swinhoe.	m ^r Harte.
m ^r Paine.	m ^r Leuer.	m ^r Ayres.
D ^r : Winstone.	m ^r Edwards.	W th dive ^{rs} others.
	m ^r Barnard.	

The Courte request vnto m^r Chamblen for Silkworme seed.

The Court haveinge made request vnto m^r Chamberlyne to procure them some good quantitie of Silkworm seed from beyonnd sea, hee signified that hee had heard the Seed of Valentia to be held generally the verie beste for that those wormes would prosp in any place, wheras y^e Seed of other pts would onely thrive in their native and prop Clymate and no where else and therfore hee promised att their request to sollicite some of his frend^e that should doe their best to procure (if they could) [254] some Six pound of Seed from Valentia accordinge to their desires, for which the Company gave him verie great thank^e and prayed itt might be done wth as much expedi^on as may bee.

Captaine Norton.

m^r Deputie signified y^t wheras Captaine Norton had formerlie agreed & contracted to carry ouer with him into Virginia besides his owne pryvate famely the number of 6 Italyans who within 3 moneths after their arivall had vndertaken to sett vpp a Glasse ffurnace, and make Glasse and Beads for the vse of the Company in the Condi^on of

Tenñant℥ att half℥ for 7 years the charge of w^{ch} workemen wth 2: of their wives and 3 of thire children beinge transported and furnished wth apparrell, Victuall, Tooles and all other materialls and necessities fittinge for their vse, and of the pformance of the said worke should stand the Company butt in 150^{li} or ther about℥ vppon w^{ch} condiçon the bargaine was entertayned and the same ratified and confirmed by the last Quarter Courte, yett shortly after entringe into a re-examinaçon of the State of their Cash they found as things then stood 150^{li} was more then the Stocke of the Comp^a: could make good without bringinge themselvs into debt, wherof my Lord of Southampton had admonished them to be carefull, and thervppon they thought fitt to turne ouer the said Bargaine to m^r George Sandys. after this vppon better consideraçon, and for some reasons mençoned in the said order of Courte, the Company were willinge to entertaine the said bargaine againe into their hands; But since that time Captaine Norton had now p̄sented them a bill of a new charge amountinge to no less then 80^{li}: ouer and aboue the former Summe of 150^{li} w^{ch} hee said was to be disbursed ptlie for redeeminge the said workmens apparrell and Tooles engaged now for Debt℥, and ptly for such materialls as hee feared could not be had in Virginia, and without which they could not pceed in their said worke; Hee therfore thought good to propose itt to the Consideraçon of this Courte that hee might know their further pleasure herein, assuringe them that ther was nothinge lefte in Stocke to discharge so great a Summe, Whervppō after much dispute aboute itt, Itt was att length moved and desired that if the Companies stocke were no ways able to goe through with so greate a charge that then this Courte would please cleerly to release Captaine Norton of his former Contract and to yeild the same bargaine to pryvate Adventurers y^t would be willinge to vndertake the same w^{ch} moçon was generally held to be both iust and resonable, and ther vppon the same beinge accordinglie putt to the question itt was agreed wth generall consent y^t Captaine Norton should therby be discharged of the said contract and lefte free for pryvate Adventurers to entertaine the said bargaine vppon the same condiçons in poynt of benifitt that the Comp^a: should have done.

The Bargaine made wth Cap^t: Norton cleerly releast and left free to priuate Aduenturers to entertaine y^e said Bargaine

AT A COURTE HELD Y^r 16: OF IULY 1621

m ^r Deputy.	m ^r Risley.	m ^r Robert ^e .
D ^r Gulstone.	m ^r Rogers.	m ^r Wydow ^e .
m ^r Wroth.	m ^r Nich: Ferrar.	m ^r Baynam.
m ^r Gibbs.	m ^r Parkhurst.	m ^r Hackett.
m ^r Wrote.	m ^r W ^m Hickes.	m ^r Bland.
m ^r Rob ^t Smith.	m ^r Casewell.	m ^r Georg Smith.
m ^r Sandys.	m ^r Barbor.	m ^r Morewood.
m ^r Bromfeild.	m ^r Bull.	m ^r Newporte.
	m ^r Darnelly.	m ^r Harte.
	m ^r Fogge.	
	m ^r Vyner.	
	m ^r Palavacine.	
	m ^r Crossland.	
	m ^r Iadwin.	
	m ^r Lawne.	
	w th divers others.	

[255]

Wheras att a Courte held the 12th of this p^{re}sent monneth the bargain made wth Captaine Norton and the Italyans for settinge vpp of a Glasse ffurnace in Virginia for makeinge of Glasse and beads was taken into serious considera^{ti}on and findinge the charge of transportinge and furnishinge out the saide workmen with their servant^e wives and Children (being in all eleven p^{er}sons) wth apparrell, victuall, Toolles and all other necessaries would come to a farr greater some then was att first proposed when the agreement and Contract wth Captaine Norton was first made, wherby the Companies stocke was no way able to vndergoe the burthen of this new charge in so much as this buisines for want of sufficient means was like to fall to nothing

Itt was therefore now moved that seeinge the Company were not able to goe through wth itt, itt might be lefte free to pryvate Adventurers to vndertake the same vppon like condiçons in pointe of pfitt as they should have done; vnto this moçon (so iust and reasonable) the Courte did willinglie assent and by their said order did release and quite discharge the said Captaine Norton of his §former§ Contract with the Company; Hervvpon the said bargaine beinge a new enter-tayned by certaine adventurers now present they did now acquainte this Courte that itt was not their intent therby vtterly to exclude the Company from a buisiness of this speciall consequence vnto them all (seeinge the Comoditie of Beads was like to proue the Verie Coyne of that Country), and therefore intendinge to raise a Ioynt Stocke of at least 400^{li} the better to accomplish so good a worke they have agreed among themselvs that the Company should com in for a fowerth parte of the said charge, and therefore moved that for the better^r advancement of the said worke and encourragment of the said Adventuro^{rs} therein. That the Court would please to graunt him these pposiçons followinge.

The bargaine made wth Cap^t Norton entertained by pryvate Aduenturers.

The Comp^a to come in for a 4th parte.

First y^t the said Adventurers might have a Patent of the said Glasse Furnace for seaven years for the sole makinge of Glasse and Beades.

To haue a Patent for 7: years.

Secondly y^t they might have 50 Acres of Land for every psonn they should transporte vppon this buisiness, and y^t the Comp^a: would give them their pt of the Land.

To haue 50 Acres of Land for euery person they shall transporte.

They desire itt may now likewise be pmised and att the next Quarter Courte confirmed that the Sole makinge and transportinge of Soade beinge a materiall of speciall vse in makinge of Glasse may be appropriated vnto them for 7: years.

The Sole makinge of Soade to be appropriated to them for 7 years.

Lastly they desire for the better releife and Comforte of their people that the Guest house w^{ch} m^r Whittacres hath built may be appoynted for entertaynm^t of their people some two monneths after their first landinge y^t they may be able to build their houses, and this may be specially recomended to the care of the Gouvernor to see itt done; All w^{ch} pposiçons the Court takinge into due consideraçon conceived

that y^e Guest house erected by m^r Whitacres may be appoynted for the entertaynement of their people.

to be very reasonable and beinge putt to the question did willingly condiscend vnto them and p̄mised further that they should be recommended to the next Quarter Court for confirmacon.

some to be de- The said Adventurers moved likewise y^t some might be deputed for y^e Com-
puted for y^e Com- the Comp^a: and advise wth them aboute the well orderinge & manag-
pany to aduise inge of the same, To w^{ch} end the Court nōiated these that follow vizt:
aboute y^e well or-
deringe of y^e same

m ^r Deputy.	m ^r Covell.
m ^r Keightley.	m ^r Barkham.
D ^r Winstone.	m ^r Wheatley.
m ^r Cranmer.	m ^r Bolton.
m ^r Barnarde.	m ^r Cuffe.

who are appoynted to meete to morrow in the afternoone. [256]

if any will aduen- The said Adventurers did likewise offer that if any other would com
ture their 10th they in with their Adventure of x^{li} a peece for neither lesse nor more was
may be admitted resolved to be paid towards this, between this and thursday next they
should be admitted.

2 of y^e Comp^a & Itt was likewise moved and thought fitt y^t two of the Company and
6: of y^e Aduent⁹ to six of y^e said Adventurers should meet att their first leasure ~~and~~ §to§
meet & sett downe consider and sett downe some Instrucōns for Captaine Norton for
some Instrucōns his better direcōn in the managinge of the said Glasse worke.
for Cap^t Norton.

m^r Nicho: Ferrar The said Adventurers made choyce of m^r Nicho: Ferrar to be their
to be their Th̄er. Th̄er whome they entreated very earnestly y^t hee would not refuse
to doe that favoure.

The Aduenturers Itt was likewise moved y^t the said Adventurers would please to pay
to pay in the sub- in their subscripōns between this & Thursday next for the more
scripōns. speedie dispatch away of Captaine Norton and the said Glassmen.

4 seuerall Rolls fflower seuerall Rolls were now read and offered to such as would
read and offered please to vnderwrite The ffirst beinge for a Magazine of Apparrell,
to such as will and other necessary pvisions such as the Colony stood in great need
Vnderwrite of; The Second for sendinge of 100: mayds to be made wives; The

third for the advancement of the Glasse ffurnace as hath been formerly mençoned; The ffowerth was for the settinge out of a Voyadge to trade with the Indians in Virginia for Furrs, It beinge certainly enformed by m^r Chamberlyn & others and now of late from the Gouverno^r and Counsell of State in Virginia of the great trade of Furrs w^{ch} the French and Dutch have yearly made in Lawarr and Hudsons Riuer some 20: or 30 Leagues in distance from the Sotherne Plantacon to their incredible gaine and wealth; ffor better pformance of w^{ch} voyadge a means woulde now be found to doe itt att a less charge then att other times.

These said good vndertakinge were generally approved of and moved many then present to vnderwrite in the said Rolls, And for the better furtherance and advancement of this Acçon itt was moved & thought fitt y^t direcçon should be given to the Gouvernor to afforde his best assistance herein. Direcçons to be giuen to y^e Gou^r-nor

The said Adventurers have made choyse of m^r Blany to be their ffacto^r or Agent to trade with the Indians for Furrs, and for this purpose allso m^r Bland hath vndertaken to pcure one to ioyn with him that is verie skillfull in those kinde of Comodities if the Adventurers think so good. m^r Blany to be their Factor.

Itt was moved that seeinge m^r Iohn Peirce had taken a Patent of S^r Ferdinando Gorge and ther vpon seated his Company wthin the lymitt^e of the Northerne Plantaçon as by some was supposed wherby hee seemed to relinquish the benifitt of the Patent hee tooke of this Company that therfore his said patent might be called in vnlesse itt might appeare hee would begin to Plante wthin the lymitt^e of the Sotherne Colony, Herevpon the Courte appoynted m^r Robert^e, m^r George Smith, and m^r Webb to treat with m^r Peirce aboute itt and certifie att the next Courte what aunswere they should receave frome him.¹ [257] m^r Peirce his Patent to be called in.

ffor so much as the Phisiçons place to the Company was now become voyde by reason of the vntimely death of Doctor Bohune slaine in

¹The settlement in the Northern Plantation was at Plymouth.

m^r Pott℄ enter-
tayned for y^e Phi-
siçons place.

the ffight with two Spanish Ships of Warr the i9th of March last; Doctor Gulstone did now take occasion to reċomend vnto the Company for the said place one m^r Pott℄ a M^r of Artes and as hee afirmed well practised in Chirurgerie and Phisique, and expert allso in Distillinge of waters and that hee had many other ingenious devices soe as hee supposed his service would be of great vse vnto the Colony in Virginia, but prayed y^t wheras Doctor Bohune was tyed by his Contract to supply such of his Tenant℄ as should dy after the first year att his owne charge that m^r Pott℄ might be released of that Covenant beinge too strict and ouer hard as hee supposed, butt itt was aunswered itt was not in the power of any other butt a Quarter Courte to reverse or alter the same butt should allwaies finde the Company in all thing℄ verie reasonable to all well deservinge men, and therfor if m^r Pott℄ would accept of the place vppon the same condiçons as Doctor Bohune did hee should be entertayned and for his better content should be specially recommended to the Gouvernor to be well accomodated and should have a Chest of Phisique of 20^{li} charge vnto the Company and all thing℄ thervnto apptayninge together wth 10^{li} in Books of Phisique w^{ch} should allwaies belonge vnto the Company, w^{ch} Chest of Phisique and Books Doctor Gulstone was desyred to buy, and seeinge hee intended to carry ouer wth him his wife a man and a mayde they should have their transporte freed and if one or more Chirurgions could be gott they likewise should have their passage freed, w^{ch} Condiçons m^r Pott havinge accepted of was referred to the Comittees to be further treated & concluded with.

S^r Fraunces Wy-
att℄ brother enter-
tayned for Myn-
ister

Itt was signified that S^r Frauncis Wyatt℄ brother beinge a M^r of Art℄ and a good Divine and very willinge to goe wth him this present Voyage, might be entertayned and placed as Mynister ouer his people and have y^e same allowance towards the furnishinge of himselfe wth necessaries as others have hadd, and that his wife might have her transporte freed, w^{ch} moçon was thought verie reasonable and ordered by erecçon of hand℄ that hee should be entertayned and haue the place hee desyred and the ~~same~~ ||like|| allowance of monny graunted vnto m^r Bolton lately entertayned.

Captaine Welden moved y^t hee might have leave payinge his freight to take out his Tobacco now brought home in the Duty wherby hee might sell the same to his best advantage, butt itt was objected that hee must first take order to sattisfie the Company for the §great§ charge they were att in transportinge and furnishinge himselfe and two servant^e att his first goinge to Virginia for w^{ch} hee was by couenant to have stayed in the Companies service for seaven years wheras hee had continued butt two years, and came away without their leave, and yett had given no accompt vnto the Company for that time for w^{ch} hee p^rtended some excuse and withall offered that for somuch charge as the Company were att for him (w^{ch} hee guessed to be some 44^{li} or ther about^e) hee was contented that m^r Swaine should sell so much of his Tobacco as should aunswere the said debt vntill the matters in difference were decided, and ordered, wth this offer the Courte [258] was contented for the p^rsent to release his Tobacco and ordered y^t direc^on should be given to m^r Swayne to make sale of so much Tobacco as should amount to the said some of 44^{li} to be made ouer to the Company.

Cap^t Welden^e mo-
c^on to take out his
Tobacco brought
home in y^e Duty
paying his freight

m^r Wrote acquainted y^e Courte y^t haveinge taken into considera^on the p^rsent State of the Companies Stocke and knowinge ||it|| to be vtterly exhausted and that all means of supply for the present are altogether seased hee conceaved itt to be a pt of his dutie to offer vnto this Honorable Courte such of his concep^ons as may for the p^rsent supply the Companies necessitie wth great plenty & defray ordinary charges.

m^r Wrote offered
to y^e Comp^a: such
of his concep^ons
Cr.

ffirst therfor hee ppounded that wheras ther are divers com^odities in Virginia of good value in themselvs w^{ch} by the ouermuch greedines of the Plante^{rs} have beyonnd all modera^on been sent ouer in that abundance as the price of them is so abased as they will hardly discharge the freight And are now vnprofitable both to the Adventurers and Planters, and for instance hee named that of Saxafras heretofore of good value and now not worth any thinge, that therefore hereafter divers of these Comodities may be appropriated to the Company and tearmed the Companies Comodities; Amongst these hee propounded

Diu⁹s Comodities
in Virginia of good
Value in them-
selues to be appro-
priated to y^e
Comp^a:

Saxafras for one, and three other or¹ more of such Commodities as wilbe of good value if they might be brought ouer sparingly and the porcion lymitted.

The Vse and end
of them

A Select Committee
to consider hereof

And that neither the Planter nor Adventurer may² iustly condempne the appropriatinge of these Commodities hee did likewise propound the vse and end of them, hee wished therfore that the benefitt hereby accruinge may be imployed in buildinge of Churches, Hospitalls in fabricke of the Colledge in publike libraries for the vse of Mynisters in supply of Preachers in cause of death or their returne into England In ffortyfycation, Armes Powder and Muniçon, in erectinge new Officers necessary for the gou⁹ment of the Plantacon, especially for establishinge Court℄ of Iustice, in buildinge of Ships, Galleys, & Shallops for Defence Trade and Discouery, In defrayinge the Charges of the Counsell of State in Virginia att their seuerall Quarter Session℄ In buildinge of Bridges, makinge of Highwayes, and Aquaduct℄ C^r And that this may continue for seaven years onely or till the publike Revennues be advanced, And that the Colony may ratefie this att their generall assembly, And that a select Comittee may be chosen to consider herof, and power given to them to add alter or diminish what they please, And so corrected bringe itt to y^e Courte And if itt shall then be approved to receive a full confirmacon in a Quarter Courte ||all w^{ch} hee humbly submitted to the censure of this Court.|| Whervppon the Court conceavinge itt to be a matter of great importance and worthy of Consultacon comitted the same to y^e consideracon & advise of.

S ^r Iohn Dauers.	m ^r Casewell.
m ^r Wroth.	m ^r Abrah: Chamberlyn.
m ^r Deputy.	m ^r D ^r Gulstone.
m ^r Wrote.	Doctor Winston.
m ^r Gibbs.	m ^r Widowes.
m ^r Darnelly.	m ^r Ayres.
	m ^r Wiseman.

who are desyred to meete about itt when m^r Deputy shall appoynte. [259]

¹ Written over the word "of" by the copyist.

² The letter "y" written over the letters "sh" by the copyist.

m^r Wrote further signified that wheras the reputa^{on} of this Hono^{le}: m^r Wrote declara-
 Company hath by many sinister courses and iniurious Calumnies been ^{tion of y^e synister}
 blemished, (w^{ch} as a memb^r of this Company hee could not but resent) ^{Courses & iniuries}
 yett the greatest oblique that hath been layd vppon itt hath been the ^{Calumnies wth w^{ch}}
 imoderate prizes that our Comodities hath been vented att, wherin ^{this Comp^{ty}: hath}
 the Charitable and pious intention of good men hath been extreemly ^{been abused}
 wrested and traduced, for avoydinge wherof hee propounded, ffirst
 that accordinge to former orders that such Cape marchant^e as have
 abused their trust and transgressed their Instruc^{ons} may receave
 exemplary punishment, And for the future to prevent scandall that
 ther be a course taken to decry the price of Tobacco in Virginia, as
 beinge the onely couller they have to make good their asser^{cons}, for
 that Comoditie is become their monny and is valued att 3^s the pound
 certaine, (be itt good or badd) wherby they are nourished in that
 thirstles and pⁿcious humor of plantinge Tobacco: and the evill
 returnes they make they attribute still to the oppression of the
 Adventurers here never consideringe the basenes of their Comodities
 and the infinite losse the Company have susteyned by itt, this beinge
 not onely the Destruc^{ons} of more then halfe the last Magazine adven-
 ture but the consump^{on} allso of well nigh all the Companies Stocke
 by sendinge the last supply of Prentizes and mayd^e for w^{ch} the
 Planters have repayd them againe in nothings butt Tobacco att 3^s
 p pound: And yett notwithstandinge the publique Declara^{on} of the
 Company and pryvate informa^{on} by publique §frequent§ tres and
 otherwise of the base estima^{on} and price of the Comoditie and of
 their desire to be repayd in other Comodities, yett such is their
 opinion of this alone as itt hath not been possible hetherto to awake
 them out of this straunge dreame; Hee therfore advised that besides
 the decryinge of Tobacco some course be taken that some other Com-
 oditie may be made their Coyne and that Tobacco might be vented as
 as marchandize onely of no certayne price butt accordinge to the
 goodnes, this hee desyred might be Comitted as the former; Wher-
 vppon the Courte ordered that the former Committee should take itt
 into their Considera^{on} and certifie their opinions what they should
 thinke fitt to be done therin.

The Planters to make allowance of y^e residue to y^e full value of 10^{li} a person for y^e 50 Boys sent in y^e Duty

Itt was likewise moved that wheras ther was sent hertofore 50: Boyes in the Duty w^{ch} cost the Company 500^{li}: for w^{ch} y^e Planters repayd them in 66 waight of Tobacco att 3^s p pound ratinge itt att 10^{li} a boy w^{ch} Tobacco beinge sould by the Company they could hardly reach to 5^{li} the Boy that therfore order might be taken to cause such of the Planters as had the said Boyes to make vpp a full allowance of the rest to the iust rate and valuacon of 10^{li} the psonn as itt stood the Company ~~in~~ ||in||: w^{ch} mocon was very well approved of and ordered that a present Course should be taken to require the said pporcon of the Planters that the Company might not be losers in the Disbursment of their monny to their vse & benefitt. [260]

Counsello^r chosen in y^e steed of Doct: Bohune, m^r Oulsworth and m^r Tracey.

Wheras Credible informacon hath been given of the Death of Doctor Bohune m^r Oulsworth, and m^r Tracy late chosen to be of the Counsell of State in Virginia, The Courte now thought fitt and requisite in supply of them to make addicon of other gentlemen vizd, m^r Pott, m^r Leech m^r Paulett mynister and Captaine Roger Smith to be as pvisionalls Councillors till they may receave confirmacon att the next Qua^rter Court and their names be incerted in the Comissions.

The Widdow Gunstones Peticon referred to some of the Counsell C^r.

The Peticon of Widdow Gunston was now read and ordered that itt should be referred to some of the Counsell and Comittee to call m^r Damiron and other the officers of the Ship before them to examine them touchinge certaine book^e and notes, touchinge Beniamyne Gunstone her husband deceased concerninge his wholl estate w^{ch} shee sayth came to the hands of the said Damiron and others and now deteyned by them from her, as likewise agreat pt of her husbands estate.

The mony for payinge y^e Tryalle^e freight attached by m^r Couell m^r Morer contented that defalcacon should be made vnto him

m^r Deputy signified that wheras the Tryalle^e freight was nowe to be payd w^{ch} came to 240^{li} or therabout^e one m^r Couell had attached the said monny vntill hee might be ~~certified~~ §satisfied§ for certaine goods deliuered to the M^r of the said Ship: ffor somuch as m^r Morer pt owner of the said Ship beinge now p^rsent did signifie y^t hee was contented that Defalcacon should be made vnto him for the said Debt; Itt was agreed and ordered that the mony should be payd.

AT A COURT HELDE 24 IULIJ 1621

S ^r Iohn Dauers.	m ^r Nicho: Ferrar.	m ^r Wyddowes.
m ^r Deputie.	m ^r Shepparde.	m ^r Baynam.
m ^r Wroth.	Cap ^t Bargaue.	m ^r Couell.
m ^r Gibbs.	Cap ^t Martin.	m ^r Edwardē.
m ^r Wrote.	m ^r Barbor.	m ^r Harte.
m ^r George Sandys.	m ^r Blande.	m ^r Moorewood.
Doctor Gulstone.	m ^r Bull.	m ^r Taylor.
Doctor Winstone.	m ^r Swinhoe.	m ^r Georg Smith
Doctor Anthony.	m ^r Casewell.	m ^r Martin.
m ^r Keightley.	m ^r Darnelly.	w th others.

M^r Wrote signified to the Company that hee had receaved informaçon from a frend of his by letter that the Collection monny w^{ch} was gathered in the Countie of Norfolke towards y^e buildinge [261] of a Colledge and Church in Virginia was payd ouer vnto m^r Doctor Leggon then B^p: of Norwich who dyed soone after wherby itt is conceived that all that monny remaynes still in the hands of his executo^{rs} vnacounted for whervppon the Court ordered that the Secretary for the Company should repayre to the Prerogative Office to search who those were that were appoynted executo^{rs} by the sayd B^p:

The Secretary to repaire to y^e Prerogative Office to search who was executor of Doct: Leggon B^p: of Norwich.

Itt was likewise signified that one m^r Anthony Wythers out of an earnest desyre to further the Plantaçon had vndertaken to procure out of y^e Low Countries a very rich Comoditie to be planted in Virginia as allsoe men skillfull for the orderinge therof w^{ch} if itt tooke that effect as was hoped, would exceedinglye advance the Plantaçon in matter of p^{ro}fit Itt was therefore moved that in gratificaçon of his good endeavo^{rs} herein the Court would please to admitt him a free brother of the Company w^{ch} request was thought very reasonable and beinge putt to the Question was assented vnto by erecçon of hands;

a Rich Comodity procured of the Low Countries by m^r Wythers.

m^r Wythers made free.

And for that itt was moved that this Comoditie might be one of those that were thought fitt to be appropriated onely to the Company.

Itt was referred to the Comittee formerly appoynted for this pticularl buisines to take itt into their consideraçon and certifie their opinions touchinge the same.

m^r Sachiuere^{ll} to be at liberty to dispose of himselfe. Itt was allso moved that for so much as m^r Sachiuere^{ll} who went ou⁹ heretofore to Virginia att the Companies charge had now againe repayde the Company as well for the charge of his passage w^{ch} was 6^{li} as allso for the charge of his settinge outt w^{ch} was 20 nobles that therefore hee might be sett free and att liberty to dispose of himselfe, The Courte conceivinge this to be a sute very reasonable graunted his request accordingly.

The 3 Comissions for y^e Gouvernor Threr & Secr: C^r 1 other Comission to m^r Pountice ordered to be sealed The three Comissions formerly ordered to be graunted to the Gouvernor, Threr, and Secretary of State in Virginia, as allso the Instruccõs and one other Comission for the place of Vice Admirall graunted to m^r Iohn Pountice beinge now presented to the Courte were read and approved and order given to m^r Deputy to affix the seale vnto everie of them, and further ordered that Duplycates of each of them should be sent by the next Shipp.¹

Captaine Bargaue and Cap^t Martine. My Lo: of South: pleasure y^e Cap^t Bargaue chose 2 to debate y^e cause and he to be Vm- pyer The Comittee ~~app~~ appoynted to hear the diffirence between Cap^t: Bargaue, and Captaine Martin haveinge now made reporte of their pceedings touchinge the same, Itt was signified that my Lord of South- ampton beinge desirous to accomde the differences had been pleased to appoynt that Cap^t Bargaue should make choyse of 2 for his pt to debate the said cause [262] before him, and himselfe would be Vmpyer therin, The Courte conceavinge this to be the fayrest and likelyest course that could be propounded to give a fynall end thervnto ~~they~~ ||hath|| therefore left it wholly to that course his L^p: had ppounded.

M^r Deputy signified that haveinge p^rsented to the Ea of Southampton the 4 Rolle of pchment whervnto divers had subscribed testifyinge therby their Zeale and constant resoluçon to advance the Plantaçon (notwithstandinge the many discourragment^e they had receaved) as

¹ These Instructions and a letter to the Governor and council in Virginia are mentioned in List of Records, Nos. 261 and 262, page 149, *ante*.

also acquainted his Lo^p: with the 5 Rolle proposed since for sendinge Shipwrighte, and other principall ||worke|| men for makinge Ships, Boate and other Vesselle wherof the Collony had great need growinge now to be populus and haveinge plenty of materialls for Shippinge, soe as they onely wanted Artiste to make vse of the same; Itt pleased his Lo^p: in furtherance of soe worthie Proiecte to subscribe for payment of no less then 200^{li} for his Lop^s pt, w^{ch} Rolle beinge presented likewise to S^r Edwin Sandys itt pleased him also to subscribe for payment of the like Sum^m.

My Lo: of South-
ampton sub-
scribed, 200^{li} to y^e
Rolls
S^r Edwin Sandys
y^e like sum

M^r Doctor Gulstone moved in the behalfe of Doctor Pott^e chosen for the Phisicions place vppon his recomendacon that the Comp^a: would further please att his request to bestowe vppon him some 10^{li} for his necessary provision for the present Voyadge w^{ch} the Courte takinge into consideracon was pleased to allowe him his Demaund the better to encourage him to pforme the service hee hadd vndertaken for the generall good of the Collony.

10^{li} allowed to
Doct: Pott

A request beinge made in the behalfe of m^r Richard Toppinge Cittizen and Brownebaker of London that the Court would please to take into their Custody an acquittance vnder his hand and Seale for a Debt due vnto him in Virginia from m^r Iohnn Pollington, and to send him the said Pollyngton a true Coppie therof vnder the hand of m^r Deputy Ferrar: This Courte herevppon appoynted the Secretary to keep in safty y^e originall acquittance and to vnderwrite their order to the Coppie of the said acquittance vnder m^r Deputies hand for the better sattisfyinge as well of m^r Toppinge (least the acquittance vnder his hand might miscarry) as also of m^r Pollyngton that theris no ill meaninge towards him in retayninge the Originall and sendinge butt the Coppie therof vnto him. [263]

A request in y^e be-
halfe of m^r Rich-
ard Toppinge

Vppon m^r Carters mocon the Court pmittid him to passe ouer two shares of Land in Virginia the one vnto Rowland Trueloue of London Clothworker The other vnto Tobias Coop of London Clothier the said Shares beinge pcell of the 40 Shares assigned vnto him by the Lady Lawarr with the allowance of the Audito^{rs} and the approbacon of a Preparatiue Courte held for Virginia the 30th of Aprill last past 1621

m^r Carter 1: share
to Rowland Tru-
loue — 1: share to
Tobias Cooper.

Ordinary Court
suspended

Itt was now moved that for soe much as divers gentlemen were gone into the Country (accordinge to their vsuall manner att this time of the yeare) and for that the Comp^a: had now ouercom the greatest pt of their buisines that therfore the ordinary Court℄ might be putt of and suspended till Michalmas w^{ch} beinge putt to the question was generally assented vnto Provided nevertheless that if ther should be cause to call an extraordinary Court itt might be pmitted, As allso itt was held fitt y^t y^e Comittee should have power to treat and conclude wth such Mynisters as should offerr themselvs to goe for the service of the Colony vppon the same tearms and condiçons as others formerly had done.

Vppon moçon order was given to m^r Deputy to seale such Comissions as were to be graunted to Maisters of Ships bound for Virginia.

ATT A MEETINGE OF Y^r MAGAZINE ADVENTURERS

Y^r 27 IULIJ 1621

PRESENT

m ^r Alderman Iohnson.	m ^r Barnard.	m ^r Bull.
S ^r Io: Wolstenholme.	m ^r Swinhoe.	m ^r Wiseman.
m ^r Deputy Ferrar.	m ^r Blande.	m ^r Darnelly.
m ^r Wroth.	m ^r Chamberline.	m ^r Casewell.
m ^r Wrote.	m ^r Essington.	m ^r Iadwin.
m ^r Gibbs.	m ^r Rogers.	w th diue ^{rs} others.

m^r Fotherby as-
signed to receaue
monny

Itt is agreed and ordered that Henry Fotherby Servant to S^r Thomas Smith shalbe assigned by the Adventurers to receive such monneys as are now due by Aldermann Iohnson w^{ch} is near aboute.... 200^{li} 00:00
And of m^r Leete..... 281:15:00
of m^r Essington 100:00:00
of m^r W^m Caninge 092:10:00
of m^r George Smith 097:02:04

[264] ffor the payment of a bond of 600^{li} with the interest to one m^{rs} 600^{li} wth y^e interest
Iane Iohnson a Dutchwoman and the ouerplus to be reserved in Cash to be paid m^{rs}
to the said Adventuror's vse. Iohnson.

Itt is agreed further that m^r Alderman accordinge to his owne offer m^r Alderman to
shall have the Sassafras att 30^s price p Cent: Provided nevertheless haue y^e Sassafras
that if y^e said Adventurers can wthin a moneths time have a better at 30^s p Cent.
price for it then m^r Alderman is to be released of his said promise
and they to make their best markett.

Itt is allso agreed that at the monneths end the said Sassafras shalbe The sassafras to be
weighed out and m^r Alderman is to pay for the same with other weighed at a
monneys due by him and others in Ianuary next for the satisfinge moneths end and
of a bond of 1000^{li}: wth interest to the Chamber of London; And y^e monny to be
what shalbe wantinge of the pceed of the said Sassafras and Debtē paide
to make vpp the said bonds wth interest the Adventurers have prom-
ised to make good.

Itt is allso moved that Iohn De Clark shall have order to sell y^e Mag- Io De Clark to sell
azine Tobacco att 5^s flemish that is to say 30 stivers and not vnder y^e Maga: Tobacco
butt is to take his best markett for advanceinge the said price as
much as he cann.

M^r Alderman Iohnson, and m^r Essington, made complainte against m^r Alderman
Cap^t: Bargraue for haveinge much abused them in his sute of Chaun- Iohnsons & m^r Es-
cery against them and signified that hee refused last Tearme to come singtons Comp^lai:
to tryall whervppon they had made a mo^oon against him and hoped against Captaine
in the Courte of Chauncery to obteyne a good end att the next Tearme Bargraue.
requiringe the consent of the Adventurers thervnto and for allowance
of Charges of the sute vppon the Magazine Accompt for whose bene-
fitt they sued; The Adventurers Counsell was that since hee refused
to pceed they should seeke to have itt dismissed in y^e Chauncery and
take their course att Common Law against Captaine Bargrave and
for allowance of charges they would vppon clearinge of y^e matter doe
accordinge to iustice and equitie.

Memo^r: that the Magazine standeth indebted to Martin^e Hundred Magazine indebt-
for 8 Cowes sould there att 15^{li} p Cowe. [265] ed for 8 Cowes to
Martin^e Hundred.

A COURTE HELDE Y^r 15TH: OF OCTOBER 1621

S ^r Iohn Dauers.	m ^r Steward.	m ^r Widdowes.
S ^r Phillip Cary.	m ^r Palavicine.	m ^r Baynam.
S ^r Hugh Wirrall.	m ^r Bland.	m ^r Sewarde.
m ^r Deputy.	m ^r Berblock.	m ^r Rogers.
m ^r Gibbs.	m ^r Barbor.	m ^r Palmer.
Doctor Anthony.	m ^r Edward ^e .	m ^r Lambe.
m ^r Robert Smith.	m ^r Bennett.	m ^r Morrice.
m ^r Shepparde.	m ^r Ayres.	m ^r Hickforde.
m ^r Nicho: Ferrar.	m ^r Wiseman.	m ^r Iadwine.
Cap ^t Bargaue.	m ^r Casewell.	m ^r Webb.
m ^r Bynge.	m ^r Barnarde.	m ^r Bull.
m ^r Meuerell.	m ^r Bolton.	m ^r Whitley.
m ^r Berkeley.	m ^r Atkins.	m ^r Georg Smith.
	m ^r Swinhow.	m ^r Caninge.
		m ^r Cuffe.
		m ^r Robert ^e w th others.

A Comp^t: made to y^e Lords y^t y^e Comp^a: had sett vp a trade at Amsterdam.

M^r Deputy signified y^t the occasion of callinge this Courte was to acquainte them that accordinge to a message receaved from the LL^s: of the Counsell some of the Virginia Company had appeared before their Lo^{ds}: the 12th of this present monneth, vnto whome the LL^s: declared y^t itt was complayned vnto that Boord y^t this Company had sett vpp a trade att Amsterdam and brought thither all their Comodities from Virginia, they therfore now required to know the Companies answere wheither or noe they would bringe all their Comodities into this Kingdom or continue their Trade there att Amsterdam.

y^t they neu^r send anie Comodities to Amsterdam but carry such Tobacco to Middlebrough as C^r

ffor Amsterdam answere was made that they never sent any Comodities thither: Butt for such Tobacco as came from Virginia this year they had carryed itt to Middlebrough beinge restrayned by the Kings Proclamaçon and order of that Table from bringing in any into this Kingdome this Yeare.

And touchinge their LLp^s proposiçons of bringinge all Comodities hither they humbly besought their Lo^{ps}: they might have some time to call a Courte and they would returne their answeare vppon the next Wednesdaie followinge as their Lo^{ps}: Comaunded.

for bringinge all their Comodities into this Realme they besough their Lo^{ps} C^r.

M^r Deputy therefore now desyred this present Court that they would please to take this waighty buisines into their consideraçon where vppon after much dispute and many reasons given of y^e impossibillyty of beinge bound to bringe in all their comodities into England wthout fallinge into very great inconvenyencies they did agree to have these reasons together wth such other as the Counsell y^t morninge haveinge mett have thought vppon to be drawne vp into certaine heads against the next wednesday morninge att w^{ch} time they would have a Court to pvse and pfect them. [266]

The inconveniencies that would happen to bring all ther Comodities into this Realme to be drawne into heads.

A COURTE HELDE THE 17TH OF OCTOBER 1621

m ^r Deputy.	m ^r Abra: Chamberlin.	m ^r Georg Smith.
m ^r Gibbes.	m ^r Bland.	m ^r Webb.
m ^r Ro: Smith.	m ^r Whitley.	m ^r Hackett.
m ^r Nich: Ferrar.	m ^r Barbor.	m ^r Cuffe.
m ^r Shepparde.	m ^r Ayres.	m ^r Widdowes.
Captaine Bargraue.	m ^r Palmer.	m ^r Lawrence.
m ^r Stewarde.	m ^r Bull.	m ^r Bolton.
m ^r Porter.	m ^r Morgann.	m ^r Berkley.
m ^r Meuerell.	m ^r Lambe.	w th divers others.
	m ^r Hickforde.	

M^r Deputy p^rsented vnto the Courte accordinge vnto former direcçons the aunswere w^{ch} was to be given to the ll^s: of the Counsell this afternoone if the Courte did approve therof beinge framed vppon those reasons that y^e form⁹ Courte had sett downe w^{ch} were these that followe.

M^r Deputy presented to y^e Court y^e answeare w^{ch} was to be giuen to y^e Lorde.

The most Humble answere of such of y^e Virginia Company as could at present be assembled to y^e Right Honorable y^e Lords of y^e Counsell touchinge their Lo^{ps}: proposition for y^e importinge of all goods from Virginia into England.

May it please yo^r Hono^{rs}.

The Comp^{ts}: an-
swere

They will take itt as a most singular favo^r y^t they may enioy their former liberty for bringinge their Comodities into England and transportinge them elsewhere; Butt to be bound to bringe in all their Comodities and to pay Custome here for all (howsoever markt℥ rule abroad) in that they humble desire to be pdoned and most earnestly beseech yo^r Lo^{ps}: they may not be compelled for these subsequent reasons and divers other waightie consideracons.

1. Itt is libertie and freedome that his Ma^{ty}: Subiect℥ through out his Dominions doe generally practise and enioye to be free to carry their Comodities to the best Markt℥.

2. Itt is agreater restraint then the Muscouie or any other auncient Corpora^{cion} hath vnto whose greatest pryveledges and immunities by his Ma^{ty} gracious Letters Patent℥ they are enhabled and equalled. [267]

3. The same Company have graunted divers Sub patent℥ wth y^e same p^riviledges as they themselvs enioy wherby some of the Pattentees have been induced to goe in psonn beinge men of noble and worthy families to expend great Soms of monny in the Planta^{cion} and some other their wholl estates and itt is nott in the Companies power now to revoake or restraine them without a generall dishartninge of all present and future Adventuro^{rs}.

4. Many Comodities doe now beginn and are like to arise in Virginia that will not be vendible in England as namely Fish Cauearie, Pipestaues, quantities of Sassafras, and Sarsaparilla and the meaner sorte of Tobacco, w^{ch} in other forraigne pts will yeild some thinge butt beinge brought hither will not yeild nor discharge the Custome.

5. They doe not conceive that they have power to dispose of the goods of Pryvate Planters in Virginia who are free and have merited by their long and hard service all manner of freedome and encouragment.

6. Nor to forbid them to trade and barter their Comodities freely wth such Ships as carry Passengers most of w^{ch} afterwards pceed℥ on other Voyadges and returne not ||directly|| for England.

7. They have begunn a Trade from Ireland to Virginia wherby the Colony is supplied wth Cattle and other necessities from thence and have passed their Contract^l, to repay them in Tobacco, w^{ch} if they shalbe compelled to bring hither, the Trade is like to pish in the verie begininge to the exceeding preiudice of the Colony, whose want^l wee know not how to supply, but by these and the like means our Stocke beinge exhausted by these two last years great and large Supplies.

8. Lastly itt is not in our power to conclude this great buisness wherin aboue a thousand Adventuro^rs here in England and almost fower thousand Inhabitant^l in Virginia have their interest.

ffor the rest they humbly beseech Yo^r Lo^{ps}: to beleive that they affect no forraigne Trades with any neighbour nation more then in case of necessitie and for the better susteyninge and advancement of the Coloney: Butt shall always endeavor such a mutuall trade between Englande and Virginia as shall stand with the hono^r and benefitt of both: And soe humbly desire yo^r Lordships to conceive of them, that next God^l Glory they cheifly ayme att the good of this Kingdome the advancement of his Ma^{ties} hono^r and speedy encrease of his higness profitt and reuennue.

ffor w^{ch} ends they have out of their owne pryvate states (besides their labor and time) expended aboue one hundred Thousand pound^l withoutt returne either of profitt or of any pt of the principall it selfe to any one of the [268] Adventurors to their knowledge, and yett doubt not but by Gods blessinge his Ma^{ties}: accustomed gracious favour and yo^r Lo^{ps} ~~faa~~ Honorable furtherance in short time to bringe this great worke to a good pfect^{ion}.

This Answer beinge reade and throughly debated the Court did well approve of and ther vppon desyred some of the Company would be pleased to accompany m^r Deputy to p^rsent itt to their l^lps: as the Acte of the Company.

The Answer approved of.

AT A COURTE HELDE Y^e 22th OCTOBER 1621.

S ^r Phillip Cary.	m ^r Ayres.	m ^r Mellinge.
m ^r Deputy.	m ^r Swinhoe.	m ^r George Smith.
m ^r Gibbes.	m ^r Wyddowes.	m ^r Penistone.
m ^r Nich: Ferrar.	m ^r Baynam.	m ^r Newporte.
m ^r Shepparde.	m ^r Bland.	m ^r Cuffe.
Captaine Bargraue.	m ^r Lawarance.	m ^r Wyndhame.
m ^r Stewarde.	m ^r Bull.	m ^r Webb.
m ^r Berblock.	m ^r Palmer.	W th Divers others.
m ^r Tomlyn ^e .	m ^r Barkham.	
m ^r Whitley.	m ^r Casewell.	

m^r Deputy signified y^e 11th: seemed not satisfied wth their Answer.

M^r Deputy signified vnto this Court that hee had p^rsented the Companies aunswere vnto the Lords of his Ma^{ty}s pryvy Counsell w^{ch} beinge read they were willinge to depte and after beinge called in againe their ll^{ps} seemed not to be sattisfied therwth butt told them that they did not intend they should give aunswere touchinge the bringinge in all their Comodities butt onely that of Tobacco wherby the Kings last §year^e§ reuennue might be still vphelde.

Their aunswere to be returnd againe C^r.

And therefore required them on Wednesday next to returne their answere wheither they would bringe in all their Tobacco into England or none att all, or otherwise to accomodate the buisness wth m^r Iacob with whome on ffryday last some of the Company haveinge had conference m^r Iacob signified vnto them that hee had no proiect wherby to accomodate the buisness butt onely by way of advise and Counsell pswaded them to bringe in all their Tobacco as moste for their good m^r Deputy therfore desyred that this Courte would take itt into their Considera^{co}ns what answer they would give to their ll^{ps}: against Wednesday next.

some reasons propounded & appoynted to be drawne.

Whervppon some reasons were ppounded and considered of w^{ch} beinge well approved were appoynted to be drawne vp againste wednesday followinge in the morninge, when itt was desyred the Courte would meet againe to consider of them. [269]

AT A COURTE HELDE Y^e 24TH: OCTOBER 1621.

m ^r Deputy.	m ^r Abra: Chamberlyne.	m ^r Widdowes.
m ^r Gibbs.	m ^r Berblock.	m ^r Baynam.
Docto: Winstone.	m ^r Blande.	m ^r Bolton.
m ^r Robert Smith.	m ^r Bull.	m ^r Meuerell.
m ^r Iohn Smith.	m ^r Bennett.	m ^r Morewoode.
m ^r Nich: Ferrar.	m ^r Ayres.	m ^r Lambe.
Captaine Bargraue.	m ^r Wiseman.	m ^r Georg Smith.
m ^r Tomlynis.	m ^r Darnelly.	m ^r Robert ^e .
m ^r Stewarde.	m ^r Caswell.	m ^r Webb.
m ^r Rogers.	m ^r Couell.	m ^r Fogge.
m ^r Edwards.	m ^r Barbor.	W th Divers Others.

The aunswere of the Virginia Company to the Right honorable the
 H^{is} of his Ma^{ty}: pryvy Counsell touchinge their H^{is}: proposi^{ons} for y^e
 bringinge in or not bringinge in of all their Tobacco from Virginia
 into England beinge now p^{re}sented to be read and taken into due con-
 sidera^{ti}on was well approved of and ordered to be p^{re}sented to the H^{is}:
 that afternoone in the name of the Company, and divers appoynted
 to attend m^r/Deputy aboute the same.

The answer to y^e
 H^{is}: approued &
 ordered to be pre-
 sented C^r.

The moste humble aunswere of the Virginia Company to the
 Right Hono^{ble}: the Lords of his Ma^{ty}: most hono^{ble}: pryvy
 Counsell.

May it please yo^r Lo^{ps}:

They have accordinge to yo^r H^{is}: order given m^r Iacob a meetinge but
 could not from him vnderstand any possible means of accomoda^{ti}on
 butt such as would breed the vtter ruyne and ouerthrowe of y^e Planta-
 ti^{on} to w^{ch} out of their bounden duety to god and his Ma^{ty}: they may
 not agree. ffor their pts they made offer to deliuer him all their
 Tobacco belonginge to themselves here att home for goods sent here-
 tofore and this last yeares ||w^{ch} they conceaue may amount to fifty
 thowsand weight this yeare|| if hee would give him good security to

The Companies
 answer to the
 Lords touchinge
 their H^{is}: proposi-
 ti^{ons}

make them butt savers w^{ch} hee refused to doe, wherby yo^r ll^{ps} may see how great their desires is to give yo^r hono^{rs} satisfac^{on}, And humbly beseech to have free libertie to bringe into England or not to bringe in their Tobacco accordinge as they shall finde itt most advantageous and benefi^{cal}l vnto the Planta^{con}; By w^{ch} liberty they hope to effect those great matters of hono^r and profitt to his Ma^{ty}: and this kingdome w^{ch} they have p^mised from Virginia. [270]

Butt if this seeme not conveyentt to yo^r ll^{ps}: for his Ma^{ty}: profitt (w^{ch} they most sincerely affect) rather then be a hinderance of the improvement therof, although to their owne very great preiudice, they will for this yeare restraine themselvs and forbear to bringe in any Tobacco att all from Virginia this yeare ensuinge.¹

70^{li} procured by
m^r Copeland C^r.

M^r Deputy acquainted the Courte that one m^r Copeland a Mynister lately returned from the East Indies out of an earnest desire to give some furtherance vnto the Planta^{con} in Virginia had been pleased as well by his owne good example as by pswasion to stirr vpp many that came with him in the Ship called the Royall Iames to contribute towardes some good worke to be begunn in Virginia: insomuch that hee hadd p^cured allredy a matter of some 70^{li} to be imployed that waie and had allso write frome Cape Bona Speranza to diuers ffacto^{rs} in the East Indies to moue them to some charitable contribu^{con} there vnto, So as hee hoped they should see verie shortlie his letters would produce some good effect amongst them especially if hee might vnderstand in what manner they intended to imploy the same. Itt was therefore ordered that a Committee should be appoynted to treat wth m^r Copeland about itt, And for soe much as hee had so well deserved of the Company by his extraordinary care and paynes in this buisness itt was thought fitt and ordered that hee should be admitted a free Brother of this Company and att the next Quarter Courte itt should be moved that some propor^{con} of Land might be bestowed vppon him in gratifica^{con} of his wortheie endeavo^{rs} to advance this intended worke, and further itt was thought fitt allso to add^{mitt} him of ||to||

m^r Copeland ad-
mitted to be free.

¹ An order in council on this matter was passed on the day of this court. List of Records, No. 272, page 150, *ante*.

the number of some other speciall Benefacto^{rs} vnto the Plantacon whose memoriall is p^{re}served:¹ The Comittee appoynted to treat with him are these

m^r Deputy.
m^r Gibbs.
m^r Nicho: Ferrar.
m^r Bamforde.

m^r Abra: Chamberlyne.
m^r Robert^e.
m^r Ayres.

Informacon was given that wheras diue^{rs} noblemen and Gentlemen were still indebted to the Company vppon their subscripcons and in like manner certaine Bishops for monny remayninge in their hands vppon Colleccons an offer was nowe made by one m^r Waterhouse a verie sufficient vnderstandinge gentleman for sollicitinge the said psonns for payment in of their said monneys if the Company shall please to imploy him in the said buisines and authorise him for the doinge therof. Itt was herevppon agreed that hee should be enter-taynd for this imployment provided his demaunds were reasonable and that hee could give the Company good securitie for answeringe the monneys that hee receaved from time to time to be paid into the Companys Treasury, Touchinge w^{ch} the Courte nōiated these Co^mittees to treat wth him about the same vizd.

m^r Waterhouse en-
tertayned for Col-
lectinge in of sub-
scripcons

S^r Iohn Dauers.
m^r Deputye.
m^r Gibbs.
m^r Tomlyns.
m^r Ayres.

m^r Abraham Chamberlyn.
m^r Rogers.
m^r Edward^e.
m^r Robert^e or any 4.

a Comittee to treat
wth him

[271]

M^r Ayres informed the Court that ther were some men that would willinglie proceed in their Adventure butt haveinge paid in their monneys as maie appeare by their bills yett they found their names lefte out in the printed booke and therefore desyred they might be righted in those defect^e: The Courte therefore referred this to the examinacon of the Audito^{rs} vppon whose report they have p^{ro}mised that right shalbe done vnto them to their full sattisfaccon.

some lefte out in y^e
printed Book de-
sired to be righted

¹ For a declaration of the disposition of this money, see List of Records, No. 289, page 152, *ante*.

A mo^oon for Pat-
ent^l to be graunted
to diuers worthy
men C^r.

M^r Deputy signified that itt had pleased God to raise vp means beyonnd their expecta^on to advance the Planta^on in Virginia in that hee had kindled ||in|| the mynds of many worthy men a desire still to proceed to the transportinge of great multitudes of people thither to w^{ch} end and for their better encourragment hee was to move the Courte that they might ||haue|| Patent^l graunted vnto them in the vsuall forme.

A Patent for m^r
Bennett

The first Patent was for a gentleman that had deserved singularly well of the Company before hee was a member therof, And since his admittance hee had been att a verie great charge for transportinge of people to Virginia namely m^r Bennett who now ioynes himselfe in this buisines wth m^r Wiseman, and m^r Ayres, and divers other their associates.

A Patent for m^r
Swaine

A Second Patent hee moved for m^r Swayne, m^r Barre, m^r Conder, and their Associates who vndertakes to transporte 100 psons to Virginia.

A Patent for m^r
Trueloue

A Third Patent was for certaine old and new Adventurers the new beinge to the number of thirteen whose names are these that follow vizd.

Rowland Trueloue.	Frauncis Waterhouse.	Io: Elkington.
Tobias Cooper.	Iames Berkett.	Ri: Perry.
Tho: Waterhouse.	Iohn Lake.	Tho: Ouer.
Iohn Cocks.	W ^m White.	Tobias Iohnson.
	Law: Leigh.	

who have bought each of them a single Share of Land of ffrauncis Carter beinge pcell of 40 Shares formerly assigned vnto him by the Right Hono^{ble} the Lady Lawarr, All w^{ch} the Court did well approve of and ordered that Pattent^l should be drawne vpp ready for the Seale against the next Quarter Courte.

Comissions C^r.

m^r Deputy moved the Courte to give order for drawinge vpp Comissionns for the Bona Noua, the Discouery, y^e Elizabeth and the God-helpe, beinge shortly to goe for Virgina and after that some of them are to pceed on a Fishinge Voyage.¹ [272]

¹ For some of these commissions see List of Records, Nos. 225, 277, 278, pages 145 and 151, *ante*.

Itt was also moved that such as had either people or goods to send to Virginia would forthwith give notice to m^r Webb of their names that Shipping might be provided for them now that there be so many good Ships offered to goe vpon the Companies service.

Those y^t haue people to send to giue notice to m^r Webb.

m^r Essington was entreated to pfect the Magazine Accompts to the end that such monneys as shalbe due before Christmas might be divided amongst the Adventurers wthout longer delay: which was hoped would prove halfe a Capitall.

m^r Essington to perfect y^e Magazine Acc^o:

Notice was also given that there were certaine sufficient men come out of Ireland ||who|| would vndertake to transporte manny hundreds of Cattle to Virginia this Springe vpon the same Condiçons that m^r Gookin had donne; Itt was therefore moved that Southampton Hundred, Martins Hundred Berkleys Hundred, and all other pryvate Plantaçons that desyred to have Cattle would be pleased out of hand to give speedy notice what numbers of Cattle they would have w^{ch} beinge certainly knowne they might pceed to a further treaty wth the said psonns.

sufficient men come out of Ireland to transporte Cattle C^r.

M^r Chamberlyne recomended vnto the Company one m^r Staples a preacher who haveinge a brother in Virginia that had given him good encourragment to come thither was desirous to goe ouer; Whervpon some of Martins Hundred seemed to be willinge to entertaine him for their hundred.

m^r Staples Comended by m^r Chamberlyne.

m^r Iohn Smith moved that wheras m^r William Tracye afore his goinge ouer to Virginia was arrested for 200^{li} principall debt for w^{ch} hee putt in bayle w^{ch} suite hath since proceeded and bine psecuted soe as the said cause was ready for iudgment wherof stay was made vntill some wittnesses might be brought in to certifie of the said m^r Tracyses death In respect wherof and for that hee hath receaved informaçon by fres that the said William Tracye dyed in Aprill laste hee desires notice of such as came lately from Virginia that may be ready vpon occasion to wittness the death of the said gentleman touchinge w^{ch} the Company promised to procure him as many as they could herof.

m^r Iohn Smiths desire y^t such as came lately from Virginia may iustifie y^e death of m^r Tracye

Direction to be
giuen to y^e Gou-
ernor to cause Iohn
Burros to make
satisfacōn to
Robert Gaile.

Vppon the humble Petiōn of Robert Gaile shewing y^t wheras some 13 years past hee furnished out one Iohn Burroes to Virginia wth monny, Armo^r, Apparrell, beddinge, Copp, Victuall and other necessities; And since that time allso hath sent him fewe supplys of what soever the said Burros write to him for. [273]

In consideraōn wherof the Petiōner was to have the moytie of all profitts made and raysed in Virginia by the Industry of the said Iohn Burros as by his bond now presented to be read might appeare, Itt is therfore accordinge to the peticoners requeste ordered that dyrecōn should be given to the Gouernor & Counsell of State in Virginia to call the said Burros before them and to examine him touchinge the p^rmisses; And if the information shall appeare to be true, then to compell him the said Burros to make the peticoner due satisfacōn accordinge to equitie and good confydence.

ATT A COURTE HELDE Y^r LASTE

OCTOBER 1621

PRESENT.

S ^r Phillip Cary.	m ^r Blande.	m ^r Sewarde.
S ^r Henry Rainsforde.	Cap ^t Tucker.	m ^r Meuerell.
S ^r Iohn Dauers.	m ^r Palmer.	m ^r Lawrance.
m ^r Deputy Ferrar.	m ^r Bull.	m ^r Barnarde.
m ^r Gibbs.	m ^r Barbor.	m ^r Mellinge.
m ^r Wrote.	m ^r Boothbie.	m ^r Ewer.
m ^r Gulstone.	m ^r Caswell.	m ^r Newporte.
m ^r Keightley.	m ^r Baynam.	m ^r Robert ^e .
m ^r Nicho: Farrar.	m ^r Newland.	m ^r Whitley.
m ^r Berblock.	m ^r Ayres.	With Divers others.
Captaine Bargraue.	m ^r Widdowes.	
Cap ^t Rossingham.	m ^r Bennett.	
m ^r Edward ^e .	m ^r Webb.	
	m ^r Gosnolde.	

M^r Deputy declared vnto the Courte that hee and those gentlemen appoynted by the last Courte had deliuered vnto the H^{is} of the Counsell the Companies aunswer and resolucon ||to forbear|| to bringe in any Tobacco att all for this year followinge which as their H^{is} formerly intimated they conceaved would have given them full sattisfaction; Butt their H^{is}: tearmed itt an vnduetifull answere and commaunded them on their pills to bringe in all their Tobacco, against w^{ch} himselfe and the rest alleadged all the reasons y^t were so often in the Courte discussed, of impossibilitie inconuenyency and the supposed [ou] ouerthrowe of the Plantacon But their Lo^{ps} told them that they were not to dispute at that Boorde, and againe gave them an absolute comāund to bring in all their Tobacco [274]¹ Att this Reporte the Court remained much greiued and conceauinge it a matter of greater importance and difficulty then to admitt any present deliberacon espeacially of so fewe they were resolved that the buissines should be reserued entire for the Preparatiue and Quarter Courte to take into their graue consideracons howe the Companie should proceed between two such extreame difficulties as their H^{is}. comāund and the vtter dishartninge of all both Aduenturers and Planters.

m^r Deputy gaue notice of y^e Lorde Comaund to bringe in all their Tobacco into England.

Notwithstandinge these apprehended disasters m^r Deputy exorted the Companie not to be discouraged for that he hoped God had still a hand in the proteccon of Virginia who turned all thinge for the best, when diuers former Proiecte in their first appearance seemed to tend towarde the verie distruccon of the Plantacon; and therefore hoped that hauing put their hande to the Plough they would not nowe looke back nor be weary of well doeing for the Accon it selfe was such, as he knewe no man but confessed it to be most Christian hono^{ble} and glorious, and of high consequence vnto this comonwealth and though they might seeme to some to haue cast their bread vpon the waters; yet after many dayes he doubted not but they should finde it againe, to their great comfort, the rather in reguard their H^{is} professed to wish the prosperity of the Plantacon from whome wee may not ~~de~~
* * * ||despaire|| of helpe or redresse vpon further informacon.

¹The handwriting changes at the top of the following page to that of an unidentified copyist, referred to in the "Introduction" as the fourth copyist. See Plate —.

M^r Deputy further declared that albeit the Companies Stocke beinge well nighe exhausted was able to doe but litle this present yeare for sendinge of people to Virginia, yet it pleased God to stirr vp so many worthie mindē for the aduancem^t of this noble Acēon, as there was no lesse wthin the space of these 5-6 §six§ Moneths then 20: Sayle with those already gonn and that would after Christmas (by Godē assistance) sett out for the Plantaçons, whereby aboue 1000 psons wilbe transported, whereof neare 900 went vpon priuate mens charges, And as at home so abroad likewise euen from Cape Bona Speranza God had raised vp many benefactors towardē this good worke, inso-much as the Companie of gentlemen and Marriners that lately came home from the Indies in the Royall Iames had giuen a contribuēon of 70^{li} towardē the buildinge of a Church or Schoole in Virginia besidē a probable hope of a further [275] supplie from diuers factories in the East Indies through y^e sollicitaēon of a learned Minister (namely m^r Copland) by whose good example and pswasion they were moued to this pious worke.

Hee also signified that forsomuch as it was referred vnto the Companie to determine whither the said money should be imploied towardē the buildinge of a Church or a schoole as aforesaid, the Co^mittee appointed haue had conference with m^r Copland about it, and do hold it fitt for many important reasons to imploye the said contribuēon towardē the errecēon of a publike free schoole in Virginia, towardē w^{ch} an vnknowne person hath likewise giuen 30^{li} as may appeare by the Report of the said Co^mittee nowe presented to be read.

AT A MEETINGE OF THE CO^mITTEE ON
~~THURSDAY~~ §TUISDAY§ THE 30: OCTOB: i621 PRESENT

PRESENT

m ^r Deputy.	m ^r Ayres.
m ^r Gibbs.	m ^r Nich: ffarrar.
m ^r Wrote.	m ^r Robertē.

The said Co^mittee meetinge this Afternoone to treat with m^r Copland touchinge the dispose of the money giuen by some of the East

Indy Companie that came with him in the Royall Iames to be bestowed vpon some good worke for the benifitt of the Plantacon in Virginia, the said m^r Copland beinge nowe present did deliuer in a note of the names of those that had freely and willingly contributed their moneyes herevnto, w^{ch} money m^r Copland said they desired might be employed toward^e the buildinge either of a Church or Schoole in Virginia (w^{ch} the Companie should thinke fitt). And that although this Some of money was but a smale proporcon to pforme so great a worke, yet m^r Copland said he doubted not, but to pswade the East Indy Companie (whome he meant to sollicite), to make some Addicon therevnto, besid^e he said that he had very effectually writt (the Coppie of w^{ch} letter he shewed and was read) to diuers ffactories in the East Indies to stirr them vp to the like Contribucion toward^e the pformance of this pious worke as they had already donne for the buildinge of a Church at Wappinge where by his Report they haue giuen about 400^{li}.

It beinge therefore nowe taken into consideracon whither a Church or a Schoole was most necessarie and might nearest agree to the intentions of the Donors: It was conceaued that for somuch as each pticuler Plantacon aswell as the generall either had or ought to haue a Church appropriated vnto them, there was therefore a greater want of a Schoole then of Churches: As also for that it [276] was impossible with so smale a proporcon to compasse so great a charge as the buildinge of a Church would require, they therefore conceaued it most fitt to resolute for the erectinge of a publike free schoole w^{ch} beinge for the educacon of Children and groundinge of them in the principles of religion Ciuility of life and humane learninge serued to carry with it the greatest waight and highest consequence vnto the Plantacons as that whereof both Church and comonwealth take their originall foundation and happie estate, this beinge also like to proue a worke most acceptable vnto the Planters, through want whereof they haue bin hitherto constrained to their great cost^e to send their Children from thence hither to be taught.

Secondly it was thought fitt that this schoole should be placed in one of the fower Citties and they conceaued that Charles City, of the fower did affoord the most convenient place for that purpose as well

in respect it matcheth with the best in holesomnes of Aire, as also for the comodious scituaçon thereof, beinge not farr distant from Henrico and other perticuler Plantaçons.

It was also thought fitt that in hono^r of the East Indy Benefactors, the same should be called the East Indy Schoole who shall haue precedence before any other to preferr their Children thither to be brought vp in the rudiment^l of learninge; It was also thought fitt that this as a Collegiate or free schoole should haue dependance vpon the Colledge in Virginia w^{ch} should be made capable to receaue Schollers from the Shoole into such Scollershipps and fellowships as the said Colledge shalbe endowed withall for the aduancement of schollers as they arise by degres and deserts in learninge.

That for the better mayntenance of the Scholem^r and Vsher intended there to be placed it was thought fitt that it should be moued at the next Quarter Co^{rt} that 1000 acres of land should be allotted vnto the said Scolle, and that 5 psons besid^e an ouerseer of them should be forthwith ||sent|| vpon this charg in the condiçon of Apprentices to manure and cultiuat the said land, and that ouer and aboue this allowance of land and Tenant^e vnto the Schoolem^r, such as sent their Children to this Schoole should giue some benevolence vnto the scoolem^r for the better encrease of his mayntenance

That it should be speacially recomended to the Gouernor to take care that the Planters there be stirred vp to put their helpinge hand^e toward^e the speedy buildinge of the said Schoole in respect [277] their Children are like to receaue the greatest benefitt thereby in their educaçon: And to let them knowe that those that exceed others in their bounty and Assistance herevnto shalbe priuiledged with the preferment of their Children to the said Schoole before others that shalbe found lesse worthie.

It is likewise thought fitt that a good Schoolem^r be prouided forthwith to be sent vnto this Scoole.

It was also informed by a gentleman of this Co^mittee that he knewe one that desired not to be named that would bestowe 30^{li} to be added

to the former Some of 70^{li} to make it vp 100^{li} toward^e the buildinge of the said schoole: This report beinge read was well approued of and thought fitt to be referred for confirmacon to the next Quar^{ter} Court.

M^r Copland beinge formerly entreated to knowe what acquittance m^r Landman did desire for payment of the said 70^{li} left in his hands to be deliuered to this Companie did nowe report that m^r Lanman said he would take his direccon herein from the East Indy Comp^a at their next meetinge, Notwithstandinge it was thought fitt, that offer should be made to m^r Lanman to secure ~~them~~ §him§ vnder the Counsells seale for payment of the said money to m^r Deputy.

M^r Wrote in discharge of his former promise did nowe give an Account vnto the Court what he had donn for findinge out to whose hand^e the Colleccon ~~gathered~~ money ||gathered|| in Norff. and Suff. was paid whereof he said he was promised a pticuler so as he shalbe able to let them knowe verie shortly where and in whose hand^e the said Money resteth and well doe his best endeaue^r to sollicite that it may be paid in: And therefore did entreat those gentlemen that did vndertake for sollicitinge the rest of the Bishoppes for moneyes remayninge in their hand^e vpon colleccons would nowe be pleased to giue an Account vnto the Companie of what they had donn therein.

Vpon the humble petiçon of m^r Anthony Gosnold gentleman it is agreed and ordered first that he shall haue two shares of land in Virginia, due vnto him for the aduventure of 25^{li} in money paid into the Treasury to S^r Thomas Smith as by his bill nowe shewed by him in Court ||vnder the Companies Seale|| though it were not sett downe in the printed booke ~~vnder the Companies Seale~~ may appeare And secondly that he shall haue one share of land more w^{ch} of right also belongeth vnto him for his psonall Aduventure to Virginia some 16 yeares since vpon his owne charge. [278]

Thirdly whereas the said m^r Gosnold alledgeth he had two kinsemen that died longe since seized of land in Virginia who by their last will gaue him their said land: It is likewise ordered that it shalbe recom-

ended to the Gouernor to take order that upon due proufe made thereof, he do him iustice, lastly touchinge the merriitt of his pson in regard of his longe and hard seruice for many yeares together in the condiçon of a Servant, notwithstandinge he ought to haue bin free: The Court hath referred him to the Coĩmittee appointed for rewarding men vpon their good deservingē.

It beinge likewise moued that for somuch as diuers worthie gent desired to be m^r Gosnold Associate intendinge at their owne charge to transport 100 psons to Virginia there to plant and inhabite that therefore the said m^r Gosnold might haue a Patent for pticuler Plantaçon w^{ch} was accordingly graunted and ordered to be drawne vp against the next Quarter Court.

Vpon the request y^t the said m^r Gosnold might passe ouer two of his Shares formerly allowed vpon his Bill of Aduenture the one to his Brother Robert Gosnold esquire the other to m^r Roger Castle of Ramingham in Norff gent: The Court did well approue of thereof and confirmed vnto each of them a single share as aforesaid.

M^r Caswell moued that forsomuch as himselfe and some others of the Coĩmittee stood bound for the freight of the Bona Noua that the Companie would please by order of this Court to giue warrant to m^r Bull for payment of 300^{li} in discharge of the said Bond, w^{ch} the Court did generally agree vnto and ordered that a warrant vnto m^r Bull should be drawne for payment thereof accordingly neuertheles vpon m^r Bulls moçon it was also ordered and provided that if in case so much should not be found due vnto the Companie vpon the pfectinge of the Accountē that then the Ouerplus should be repaide againe vnto m^r Bull.

M^r Woodall stood suspended by order of a Court the 18: Iuly i620 from cominge to Courtē till the Quarter Court followinge to w^{ch} he was referred for censure, for that he had mistermēd the printed Publication and rashly spoken against S^r Edwin Sandys for somuch as he did nowe humbly acknowledge his said fault and shewed him-

selfe so exceedinge penitent and ~~seernfull~~ ||sorrowfull|| for the same and wthall desired pardon of this Court The Companie seemed to like well of this his acknowledgment and submission. [279]

M^r Deputy informed the Companie of the great paines that m^r Bonnell the ffrenchman, M^r of the Kinge Silkwormes at Oatland had taken in peñinge a Treatise in ffrench concerninge the orderinge of Silkwormes and makinge of Silke, w^{ch} treatise for that it might be of speciall vse vnto the Planters in Virginia, he therefore moued this Court would please to reco^mend it, to some to translate it into English and afterward that it might be pvsed and beinge approued it might be printed, w^{ch} the Court assented vnto, and praid m^r Deputy to see it donne, and that a good number of the said Booke might be sent vnto the Colony in Virginia by the next Shippe that goes.

Capt¹ Henry ffortescue Vncle and Administrato^r of the goodē and Chattells of Symond ffortescue who died intestate at Sea at his returne for England from Virginia, moued, that forsomuch as he cannot himselfe goe to Virginia to recouer such landē goodē and Debtē as are due vnto the said Symond ffortescue deceased whereof S^r George Yeardley stands indebted 250^{li} that it would therefore please this Hono^{ble} Court to write to the Gouvernor to informe himselfe of the psonall estate of the said Symond ffortescue and to afford his Kindred and frendē all lawfull fauo^r and Assistance for recouery of the said ffortescues landē goodē and Debtē: The Court conceaued this mo^con to be verie reasonable and therefore ordered that direc^con shalbe giuen to the Gouvernor of Virginia to take such order in the premises as may be most agreeable to equity and good conscience.

Elizabeth Smalley Widdowe hauinge peti^coned to the Kinge against Captaine Argall pretendinge that he deteyned certaine goodē from her to the value of 500^{li}, and beinge referred by his Ma^{ties} to his Highnes Counsell for Virginia did nowe peti^con to the Companie to take hearinge of the said cause accordinge to his Ma^{ties} Reference, wherevpon the Counsell agreed to meete vpon friday followinge in the

¹ Written over m^r.

Afternoone about two of the Clocke at m^r ffarrars howse against w^{ch} time order is nowe giuen for warninge both the said Widdowe Smalley and Capt: Argall to make their appearance as also all such Wittnesses as could be pduced on the behalfe of the said Complaynant. [280]

M^{rs} Alice Bohune Widdowe late wife of Do^r Bohune petiçoned vnto the Companie that forsomuch şasş her said Husband in his life time was at great charge as shee supposeth for the prouidinge furnishinge and transportinge of Servant^ç into Virginia that the Companie would please to allowe her some Annuall contribuçon as also to release and free her sonne Edwards Barnes from his seauen yeares seruice where-vnto he is tyed contrary to his meaninge and her expectaçon: But answeare was made that shee was misinformed for that the Companie and not Do^r Bohune were at all the said cost and charges and for that her sonn was the Companies Servaunt, he was to serue out his yeares and might not be sett at liberty.

Vpon the humble request of m^r Rider that m^r Ro: Taylor whome he reported to be a gentleman of good quality nowe in Virginia might be sett at liberty and made free: The Court is pleased to graunt him his freedome, vpon condiçon he paye the Companie for the charge of his passage and whatsoeuer other charge they haue bin at for his beinge there.

M^r Robert Staples a Minister comended much by m^r Abraham Chamberlen and by Certificate from many Diuines resident in this Citty reportinge him to be of honest conversaçon and a good Scholler: beinge desirous to goe to Virginia did nowe make request, that the Companie would please to entertaine him for their Minister there.

But the Companie wantinge meanes to furnish him out did moue that some of the pticuler Plantaçons would imploy him:

Wherevpon m^r Darnelly signified that he thought that they of Martins Hundred wanted a Minister to whome he was recomended. [281]

AT A COURT HELD FOR VIRGINIA THE 14TH OF NOUEMBER i621

PRESENT

Lo: Cauendish.

Lo: Padgett.

Lo: Haughton.

S^r Sam: Sandys.S^r Fran: Egiocke.S^r Io: Dāuers.S^r Io: Bingly.S^r Phill: Carey.S^r Hen: Maynwaringe.S^r W^m: Hericke.

m^r Edw: Spencer m^r Deputy m^r Gibbs, m^r Wrote, m^r Steward m^r Tomlins m^r Binge m^r Ro: Smith, m^r Kightley, m^r Christofer Earle m^r Iohn Smith, Capt: Bargraue m^r Rogers, m^r Nicho: ffarrar || m^r Sheppard || m^r Barbo^r m^r Ayres m^r Bennett, m^r Wiseman m^r Couell m^r Leuer m^r Berblocke m^r Barnard m^r Caswell m^r D^r Lawne m^r Swinho m^r Palmer m^r Edwards, m^r Widdowes m^r Baynham m^r Mellinge m^r Robert℥ m^r Elkin m^r Bromefeild m^r Risely m^r Truloue m^r Waterhowse m^r Cocks, m^r Birkett with diuers others.

M^r Deputy acquainted the Companie that at the end of the last Su^mer Ilands Court held the seauenth of this present Moneth there came a letter vnto his hand℥ from an vnknowne person directed vnto him and the rest of the Counsell and Comp^a for Virginia, w^{ch} letter, for that many of the Virginia Comp^a ||were then psent|| he caused to be opened and read, the Contents whereof are as followeth.

A Letter dated the 7^o of Nouember i621 directed to m^r Deputy ffarrar and to the rest of the Counsell and Companie for Virginia

You shall receaue here enclosed 40^s for a sermon to be preached before the Virginia Companie this Michalmas Terme and before the Quarter Court day: The place I leaue to y^e Companies appointment, Also I desire that m^r Dampport may preach the first sermon if the Companie approue hereof: I will if God permit make a perpetuity in this kinde: So beseeching your good acceptance of this smale mite, as also that you m^r Deputy performe yo^r promise in concealing my name I take my leaue and rest a daylie orator for

VIRGINIA. [282]

This letter beinge read and the Companie then present demaunded on what day they would haue this Sermon preached, it was then agreed to haue it vpon this day before the Virginia Companie and after sermon it was also vpon mo^{on} agreed to suppe together, m^r Gibbs beinge entreated to giue notice hereof to m^r Dampart accordingly. Nowe forsomuch as it further appeareth by the said Letter that the Author of this Guift hath promised vpon the Companies good acceptance hereof to make a ppetuity of this kinde, m^r Deputy therefore moued that this Court would please to recomēd it to the next Quarter Court to appoint on what daye hereafter this yearely exercise shalbe pformed w^{ch} mo^{on} the Court did well approue of and accordingly referred it to the iudgement of the Quarter Court to order it, and in the mean time entreated m^r Deputy whoe knewe the gentleman to signifie the Companies espeaciall thankē vnto him.

Whereas in regard of the great service w^{ch} m^r Io Pountis hath performed in Virginia for the generall good of the Plantation as also in respect of his worth and sufficiency otherwise the Court was pleased the 10th of Iuly last to conferr vpon him the place of Vice admirall prouisionally for one yeare as by his Comission bearinge date the 24th of the same Moneth may appeare and that with a further promise that his Comission should be recommended to the next Quarter Court to be confirmed it was therefore nowe moued that accordingly his Comission might be then ratified and that in the meanetime the said Office of Vice admirall might be stated with a competent propor^{on} of land and Tenant[℥] w^{ch} may mainetaine them for the present vntill some other Accrues incident to that office shalbe allotted him. The Court did verie well approue of this mo^{on} and praid S^r Io Dauers S^r Philip Carey m^r Gibbs, m^r Wrote m^r Io Smith m^r Nicho: ffarrar m^r Berblocke to meet the next daye at two of the Clocke in the Afternoone to state the said place with such allowances as they shall thinke fitt.

In treatinge of these buissinesses m^r Hawes takinge notice of the Companies purpose to entertaine m^r Iohn Pountis into their service moued that whereas certaine priuate men had aduentured the Some of 10

1800th in a ioynt Stocke for transportinge of men and diuers goods for a ffishinge voyage in the yeare 1618 ouer w^{ch} the said m^r Pountis had charge & gouern^t moued y^t forsomuch as it seemed the Companie intended to imploye the said m^r Pountis in their seruice that they would please in consideraçon hereof §to giue§ the said priuate Aduenturers send greater pporçon of land for the 25 men formerly sent ouer [283] As also some consideraçon for the goodē remayninge whereof the Companie might make good vse. Touchinge the first aunswere was made that the Companie did not conceaue m^r Pountis to be any way engaged vnto them but rather had receaued much preiudice by their failinge him of their promised Supplies whereby he could effect nothinge for want of meanes, where it did appeare he was so much dishartned as it made him put on a resoluçon to come home for England had not the Companie given him some encouragm^t to stay by conferringe this place vpon him as also the managinge of some other buissines, As for such goods of thers as yet remayned, It was lawfull and free for them to make their best markettē whereby there could be no great losse.

M^r Deputy signified that he was to moue the Court for graunt of three seuerall Patentē for perticuler Plantaçons vnto such as would vnder-take to transport at their owne charge one hundred psons a peece to Virginia the first for S^r Charles North, the second for m^r Crowe, the Third for m^r Leninge, w^{ch} seuerall Patentē the Co^{rt} gaue order for drawinge them vp in that vsuall forme against the Quarter Court

Whereas in drawinge vp the Patentē for S^r Richard Worsly and his Associatē there was a mistake in settinge downe of Anthony Ienings for Abraham it was moued that erro^r might be amended at the next Court w^{ch} was graunted.

It was ordered by consent of the Aduenturers of the old magazine that m^r Abraham Chamberlen shall take vp as much money here as appeareth by the Account of Iohn De Clarke to be due to the old Magazine and remaine in his handē and paye the same ouer to m^r Richard Bull that a diuident may be made to the Aduenturers.

The Auditors also of the old Magazine were earnestly entreated to audite the Accounts in m^r Essingtons hand℥ and to giue warrant to m^r Richard Bull to paye what shall appeare to be due to euery man, the Brok℥ for non payment℥ at due times beinge allowed accordinge to the orders of the Magazine vnto w^{ch} warrant℥ one of the last yeares auditors at least is appointed to sett his hand.

M^r Churchill Moone of the Middle Temple in London gentleman hauinge eight shares of land in Virginia allowed by the Auditors did vpon request passe them ouer wth approbacon of this Court in manner followinge vizt: he assigned 4 of them vnto m^r Charles Cratford of the midle Temple in London esqr.

Also he assigned 2 to m^r Richard Chettle.

And two vnto m^r W^m Wheat of the Midle Temple esqr.

ffrauncis Carter also with like approbacon of this Co^{rt} passed ouer 7 shares of land in Virginia pcell of 40 shares assigned vnto him by the right Hono^{ble} the Lady Lawarr vnto those seauen psons followinge. [284]

To Robt Chettenly gentlē	} 7 shares.
To Iames Woodcocke Marriner	
To m ^r Geo: Butler Clarke.....	
To Isaacke Gold Drap	
To Io: Kirby Marchantaylo ^r	
To m ^r Tho: Wilson Clothworker....	
To m ^r Geo: Cornish haberdasher....	

Whereas m^r Hawes a free Brother of this Companie hath vndertaken to carry to Virginia diuers passengers as also diuers good℥ of his owne to trade and barter with the people of the Colony for Co^mmodities, he therefore moued that he might haue some license vnder the Companies Seale to be his sufficient warrant for his so doinge w^{ch} request the Court thought verie reasonable and ordered that he should haue a Co^mmission to enhable him therevnto.

A PRÆPARATIVE COURT HELD FOR VIRGINIA THE NINETEENTH OF
NOVEMBER 1621.

||PRESENT||

m ^r Deputy.	m ^r Barbo ^r .	m ^r Budge.
m ^r Gibbs.	m ^r Bland.	m ^r Swinhow.
m ^r Bromefeild.	m ^r Darnelly.	m ^r Wiseman.
m ^r Risely.	m ^r Clarke.	m ^r Robert ^e .
m ^r Smith.	m ^r Ayres.	m ^r Baynham.
m ^r Steward.	Capt: Martin.	m ^r Widdowes.
m ^r Wrote.	m ^r Casewell.	m ^r Barbo ^r .
m ^r Nicho: Farrar.	m ^r Iadwin.	m ^r Geo: Smith.
m ^r Sheppard.	m ^r Shipton.	m ^r Meuerell.
m ^r Challoner.	m ^r Mellinge.	m ^r Newport.

Vpon readinge of the former Court^e m^r Deputy acquainted the Com-
panie with what the Comitte appointed by the said Court had donn
concerninge the Statinge of the Vice admiralls place in Virginia, who
in consideraçon of the quality of the place haue thought fitt that 300
acres of land be allotted vnto the said Office; and that the number of
12 Tenant^e be placed therevpon for the cultiuatinge thereof and did
also thinke fitt that this land should be laid out neare Iames Citty as
fittest for the Vice admirall^e residence in regard of the first arriuall
of Shippes there: m^r Deputy therefore moued to knowe the Companies
approbaçon hereof and beinge desired to put it seuerally to the ques-
tion, the Court approued of the matter of allowance but differed in
opinion in the choise of the place, where this land should be sett out,
and that they rather thought fitt it should be comended to the care of
the Gouvernor to appoint the same. [285]

Forsomuch as m^r Io. Pountis was elected Viceadmirall of Virginia by
a generall Court held the 10th of Iuly last, and was also authorised by

Comission to execute the said Office prouisionally for one yeare vntill the said Comission might be further confirmed vnto him by the next Quarter Court; m^r Deputy therefore moued to knowe the Companies pleasure herein for his longer continuance: Whereupon the Court agreed both in regard of his sufficiency and generall good report and esteeme amonge the Planters, as also in reward of his seruice and carefull endeauro^{rs} to aduance the publike, that this Comission should be continued for three yeares and therefore referred it to the Quarter Court for confirmacon.

Whereas the Comitte appointed to treat with m^r Copland about the buildinge of the East India Church or Schoole, in Virginia towards w^{ch} a Contribucon of 70^{li} was freely giuen by some of the East Indy Company that came home in the Royall Iames did nowe make report what speciall reasons moued them to resolute for the bestowinge that money toward^e the erectinge of a Schoole rather then a Church w^{ch} report is at large sett downe at a Court held the last of October: And further that they had allotted 1000 acres of land and fve Apprentices besid^e an Ouerseer to manure it, besid^e that beneuolence that is hoped wilbe giuen by each man that send^e his Children thither to be taught for the Schoolem^r mayntenance in his first begiⁿinge: with ||w^{ch}|| allowance of land and Tenant^e beinge put to the question was well aproued of and referred for confirmacon to the Quarter Court Prouided that in the establishment hereof the Companie reserue vnto themselues power to make lawes and orders for the better gouernment of the said Schoole and the Revenues and proffitt^e that shall therevnto belong.

It was further moued that in respect m^r Copland Minister hath bin a chiefe cause of procuringe this former contribucon to be giuen by the aforesaid Companie and had also writt diuers Letters to many ffactories in the Eart Indies to moue them to follow their good example for the better aduancem^t of this pious worke that therefore the Companie would please to gratifie him with some proporcon of land: Wherevpon the Court takinge it into consideracon and beinge also informed y^t m^r Copland was furnishing out certen psons to be transported this

present voyage to plant and inhabite vpon such land as should be granted vnto him by the Companie they were the rather induced to bestowe vpon him an extraordinary gratificacon of three Shares of land old Aduenture w^{ch} is 300 acres vpon a first diuision wthout payinge rent to the Companie referringe the further ratificacon of the said giift to the Quarter Court as also his admittance of beinge a free Brother of this Company.

Whereas diuers Patent[℥] formerly appointed to be engrossed were nowe presented to be read: It was thought fitt in regard the after-noone was farr spent to reserue the readinge of them till the next Wedensday morninge at w^{ch} time it is agreed the Quarter Court shall beginn. [286]

M^r Deputy moued for order to drawe vp certen Co^missions for diuers Shippes that intended to goe for ffish and trade after they had deliuered their Passengers and good[℥] in Virginia: Wherevpon order was giuen to prepare the said Co^missions ready against the next Quarter Court.

M^r Waterhouse presented vnto the consideracon of this Court certen Propositions for the better pformance of the seruice he was to vnder-take for collectinge the moneys due from Noble men and gentlemen vpon subscription: The Court conceaued them to be verie reasonable saue in the matter of allowance for his paines, for w^{ch} they rather desired m^r Waterhowse would stand to their curteousie wth w^{ch} he was contented, So that he might out of his Receipts from time to time be pmitted to take allowance for defrayinge of necessary charges for himselfe his man and two horses, w^{ch} the Companie assented vnto so that his said Charge exceeded not 50^s a weeke, and that accordinge to his promise he doe present his Account a weeke before euery Quarter Court and giue Security of 500^{li}, for such money as shall come to his hand[℥] in the interim. And also that he take his direccons for the better managinge of the buissines from the Companie, and acquainte them from time to time into what part[℥] he will bend his course to sollicite in this buissines.

It was moued that whereas many bill^e of Aduenture were from time to time presented to the Court w^{ch} wer^e found to be omitted in the printed publica^on that here after a booke of purpose might be kept to register the said names alphabettically for the ready findinge of them vpon any occasions w^{ch} mo^on was well approued of and order giuen to the Secretary to see it donne vnto whome all such bill^e are to be presented that he may take the better notice of them.

It was also moued that such shares as were passed ouer from one from another might be registred alphabettically in a booke w^{ch} was also well approued.

It was further moued that whereas since the printed publica^on many orders were established in Quarter Court^e that did binde the Companie no lesse then the standinge lawes themselues that therefore the aforesaid Co^{rs} might be carefully p^rvsed and Collec^on made of all such bindinge orders w^{ch} being further ratified might be added to the rest of the lawes in the printed booke. [287]

It beinge signified that m^r Essington beinge made acquainted with the order of the last Court held the 4th of this present Moneth touching the auditinge of the Account^e remayninge in his hand^e and the makinge of warrant^e to m^r Richard Bull to paye what shall appeare to be due to euery man, (the brok^e for non payment^e at due times beinge allowed accordinge to the orders of the Magazine) w^{ch} order for that it was ~~not~~ somewhat doubtfull and not clearely expressed in this last order of Court, he desired the same might be so farr explained as the time may be p^emtorily sett downe when the brok^e shall begin: Wherefore it was agreed that accordinge to the said former order the Brok^e vpon defalt of the first payment shall beginn at Bartholmewe tyde, and for default of the other payment^e appointed to be made in Easter and Michas Termes the allowance for brok^e shall begin at the end of those Termes and so forward till this present daye and to ruⁿ at 20 p Centum whereof the Auditors were desired to take notice and to proceed accordingly.

Captaine Martin ||hauinge|| petiċoned to the Court for redresse of certaine greivances whereof he complained was admonished that if he would willingly surrender his Patent w^{ch} had so often been questioned and complained of both here and by the Counsell in Virginia in regard of the vnlawfull priuiledges passed therein directly repugnant to the standinge lawes of the Companie since that time made (w^{ch} requires all graunt of lande to be made with equall fauo^r except the differency of rent) that then he should not only haue a newe Patent as large as any but further the Companie would be ready to affoord him, all the fauo^r, and Assistance that in reason or iustice he could expect, notwithstandinge this admoniċon Capt Martin refused to surrender his said Patent, and said he would exhibite his petiċon vnto the next Court and stand to the iudgement and censure of that Hono^{ble}: Assembly touchinge the priuiledges of his said Patent. [288]

AT A ~~GENERALL~~ QUARTER COURT ||HELD|| FOR
VIRGINIA ON WEDENSDAY IN THE
FORENOONE THE 21 OF NOUEMBER 1621

PRESENT.

m ^r Deputy.	m ^r Challon ^r .	m ^r Mellinge.
m ^r Gibbs.	m ^r Barbo ^r .	m ^r Bennett.
m ^r Wrote.	m ^r Bland.	m ^r Wiseman.
m ^r Shippard.	m ^r Ayres.	m ^r Baynham.
m ^r Nicho: ffarrar.	m ^r Caswell.	m ^r Widdowes.
		With diuers others.

It beinge formerly ordered by the preparatiue Court that in regard of many buissinesses that were to be dispatched this Daye the Court should begin in the forenoon to examine such Patent^e as were appointed to be made ready against this Court as also such Comiſſions as were to be graunted to m^{rs} of Shipps to ffish and trade, the

said Patent^e and also the Drafft^e of the Comissions beinge nowe presented to this Court were read and §after examinaçon beinge put to y^e question were§ well approued of.

The Patent^e were these vizt.

Patent to

Arthur Swaine x ^o for plantinge of	100 psons	} Aduenturers
Rowland Truloue x ^o for	100	
Iohn Crowe x ^o	100	
m ^r Edw: Ryden.....	100	
m ^r Symond Leeke	100	} Planters
Daniell Gookin.....	300	
m ^r Edw: Bennett	100	
S ^r Charles North	100	
m ^r Leninge	100	

The Comissions granted for ffishing C^r trade were these vizt¹

Io: Huddleston m ^r of the Bona Noua	of 200 tuñ
Tho: Smith m ^r of the Hopewell of œ	60 tuñ
Daniell Gale m ^r of the Darlinge of	40 tuñ
Capt. Tho: Iones m ^r of the Discouery of	60 tuñ

Whereas it appeareth by the printed booke of names of the Aduenturo^{rs} that one Io: Clapham paid 25^{li} into the Treasury who lately died intestate. It was therefore moued this Court would please to confirme the said two shares of §land§ vnto m^r ² Clapham being his next heire, But in respect no Bill^e of Aduenture could be shoven to proue the deceased Clapham to be that Io Clapham mençoned in this printed booke the Court remained in some doubt least he was not the same man and therefore haue respited the graunt of the said Shares till his claime appeare to be iust by some clearer evidence. [289]

¹Three of these commissions, bearing this date, are mentioned in List of Records, Nos. 276-278, page 151, *ante*.

²A blank space in the manuscript.

AT A ~~GENERALL~~ QUARTER HELD ON
WEDNESDAY IN THE AFTERNOONE FOR
VIRGINIA THE 21 OF NOUEMB: 1621

PRESENT.

S^r Io: Dāuers.
m^r Deputy.
m^r Gibbe.
m^r Wrote.

Do^r Anthony.
m^r Io: Smith.
m^r Shippard.
m^r Nicho: ffarrar.
m^r Challoner.

m^r Bromefeild m^r Lent m^r Steward m^r Porter m^r Binge Capt Bar-
graue m^r Paulavicine m^r Barbo^r Capt: Martin, m^r Bull m^r Couell m^r
Leuer m^r Rogers m^r Ayres m^r Wiseman m^r Copland m^r Whitly m^r
Caninge m^r Swinhowe m^r Baynham m^r Baron m^r Mellinge m^r Hack-
ett m^r Robert^l m^r Meuerell m^r Lawrence m^r Morewood m^r Sparrowe
m^r Berblocke m^r Hawes m^r Trueloue m^r Seaward, m^r Bolton m^r Peake
m^r Rider m^r Phesie m^r Viner m^r Widdowes m^r Ditchfeild m^r Heck-
ford m^r Ley m^r Waterhowse m^r Newport with diuers others

Vpon readinge of the former Quarter Court holden for Virginia the
13th of Iune last, some thing^l beinge obserued to haue been comēded
to the care of seuerall Co^mittees who could not well meet because the
buisinneses were appointed in the longe vaca^con when most gentle-
men were out of Towne it was therefore nowe againe propounded and
desired that the same Co^mittee would please to take those matters
againē into their considera^cons namely the Comittee appointed for
drawinge vp the Bill to be preferred to this present Parliament to
moue that howse that the poorer sort of people that encrease in mul-
titude^l and swarme in all places of the Kingdome might be sent to
Virginia at the co^mon charge of the pishes where they liue and where
they are exceedinge burdensome the Co^mittee nominated were these
vizt

S^r Dudley Diggs.
S^r Edwin Sandys.
S^r Iohn Dāuers.

And whereas it was then thought fitt and desired that a public Declaraçon might be made as well to the Companie of London as to all other Citties and Townes of this Kingdome that haue aduentured any Soñes of mony towardē the Plantaçon in Virginia to let them knowe what proporçons of land belongē vnto them in respect of their said Aduentures and what proffittē they may make thereof by plantinge good and staple Comodities, as also what the perticuler charge of transportinge people and prouisions thither wilbe vnto them It beinge formerly referred to a select Coñmittee vizt.

S ^r Edwin Sandys.	m ^r Wrote.
S ^r Io: Dāuers.	m ^r Cranmer.
m ^r Deputy ffarrar.	m ^r Berblocke.
m ^r Io: Smith.	m ^r Secrē Dauison.
m ^r Gibbs.	

They are nowe againe entreated to take some paines in drawinge vp of the said Publicaçon that such as haue bin Aduenturers may be stirred vp to plant their land, w^{ch} wilbe to the great aduancement of the generall Plantaçon aswell as their owne priuate benifitt.

M^r Deputy signified that the Auditors accordinge to the order of the Quarter Court in Iune last had made a true and perfect Account of all such soñes of money as haue bin receaued by the benifitt of the Runinge Lotteries, and had also in the said Accountē declared the vses wherevpon the said moneyes haue bin expended from time to time for the aduancement of the Plantaçon, w^{ch} Accountē they had accordinge to the direcçon of the said Court presented in all humble Duetie and thankefullnes vnto his Ma^{tie}. The whole Court Soñe of w^{ch} Account amounted to about 29000^{li} as may appeare, though it was by diuers reported to haue bin a farr greater Soñe.

Hee further signified that m^r Barbo^r hauinge had his Accountē pticularly examined by the Auditors touchinge his receiptē by the said Lotteries who audited the same the last Terme and allowed thereof for w^{ch} he was then to haue had his Quietus est, m^r Deputy therefore moued that he might nowe haue it at this Quarter Court, but m^r Barbo^r rather desired that his Quietus est might be respited till the next

Quarter Court and that in the meane while his booke of Accounte might euery Co^rt day be brought in and laid vpon the Table to be veiwed and p^rvsed and excepted against if any erro^r could be found, but if no exception in the meane while could be taken thereat he praid he might then haue his Quietus est.

Whereas the Companie had formerly contracted with Captaine Norton for settinge vp of a glasse furnace in Virginia to make glasse and beade (as by the p^rticulers of the said Contract more at large may appeare) It was nowe declared that for somuch as the Charge of furnishinge out the said Capt Norton (when it came to be p^rticulerly examined) did farr exceed that propor^cion w^{ch} he had before proposed to the Companie insomuch as the Co^mon Stocke beinge altogether exhausted was no way able to p^rforme the same, So that this great worke whereof the Companie had conceaued so good a hope was like to haue fallen to nothinge for want of sufficient meanes [291] to goe forward with it, for w^{ch} cause the Company hauinge giuen it ouer it pleased certen priuate Aduenturers to vphold the same and therevpon entertayned the bargain made with Capt: Norton and the Italians vpon like condi^cions as the Companie had Donn, and yet beinge unwillinge to exclude y^e Companie from a buissines so much concerninge them they did agree they should ioine wth them in a fourth pt of y^e Charge and so p^rtake a 4th of y^e benefitt that should any waies accrue thereby In considera^con whereof as also for their better encouragem^t the said Aduenturers moued that the Companie would please to bestowe amongst them all the lande that should be due for transporta^con of people sent thither to be imployed vpon the said worke, w^{ch} mo^con the Court conceaued to be verie reasonable and fitt to be graunted in respect of the great charge they haue and must still be at in prosecu^con thereof, beinge therefore put to the question the Court confirmed the same vnto them.

M^r Deputy signified that whereas it pleased the Companie to rest the exhibiting of his Accounte till this Quarter Court in respect that moneyes were not then ready to discharge those debt^e w^{ch} he and some others stood engaged for for many kinde of prouisions taken vp for the vse and seruice of the Company yet hauinge nowe satisfied a

good pt of the said Debt[℥] (so as there remayned onely but 100^{li} for the Companie to paye) he thought good to present his Account as it was though not fully perfited that they might be acquainted with the State thereof and so leaue it to their pleasure for the auditinge of it, but the Court conceaued it more convenient to respit the same till the next Quar^{tr} Court, hopinge by that time sufficient meanes would come in to the full finishing of his Account.

Concerninge S^r Edwin Sandys Account m^r Deputy signified that he would err longe be here himselfe to present the same vnto them, when he doubted § not § but he would giue the Companie good satisfac^ō.

The Co^mittee appointed by the former Court hauinge taken into considera^ōn what propor^ōn of allowance they conceaued to be necessarie for the present support and mayntenance of a Vice admirall in Virginia whereof they conceaued there was a verie great necessity and that the want of such an Officer haue bin no smale losse and preiudice vnto the Companies Shippes and prouisions and other publique seruice haue thought fitt in respect of the quality of the place to state the same wth 300 acres of land and the number of 12 Tenant[℥] to be placed therevpon for the plantinge and cultiuatinge thereof w^{ch} allowances were thought verie reasonable and therevpon beinge put to the question were ratified and confirmed.

And for somuch as m^r Io: Pountis was espeacially recomended for the said place of Vice admirall in respect of his sufficiency and continuall regard of the publique good §&§ of the Companies direc^ōns (in considera^ōn whereof he was by a former Court chosen to execute the said place by Co^mission prouisionally for one yeare vntill it might be further confirmed vnto him by order of a Quart^r Court) It is therefore nowe agreed and ordered that the said Io: Pountis shall continue in the place of Viceadmirall for three yeares begining from the date of these present[℥]. [292]

Whereas there was a contribu^ōn of 70^{li} freely giuen by certaine gentlemen and Marriners of the East India Companie y^t came home in the Royall Iames w^{ch} they desired might be imployed toward[℥] the

buildinge either of an East Indy Church or Schoole in Virginia at the Choise of the Virginia Companie: Wherevpon it beinge referred to a Comittee and by them taken into consideraçon they did nowe certifie that many important reasons had moued them to agree in opinion y^t the said moneyes were fitt to be imployed for the buildinge of a free Schoole in Virginia w^{ch} they likewise thought fitt should be called the East Indy Schoole in hono^r of the said Benefactors they also signified further that an vnknowne person out of a zealous affecõ to aduance so pious a worke had giuen 30^{li} more, both w^{ch} So^mes were nowe brought into the Court and laid vpon the Table It was also further declared in the report of the said Comittee beinge entred at large in the Court held the last of october that they thought fitt for the mayntenance of the said Schoolem^r and his Vsher to be placed in the said Schoole to allowe no lesse then 1000 acres of land and fiue psons besid^e and Ouerseer of them w^{ch} they thought fitt should be forthwith sent vpon this former charge (in condiõ of Apprentices) to manure and cultiuate the said lands, w^{ch} allowance of land and Servant^e beinge intended for this as a Collegiate Schoole, the Court conceaued to be verie reasonable and therevpon beinge put to the question were accordingly confirmed.

fforsomuch as it was also informed that m^r Copland was a good meanes by his owne example to moue the aforesaid Companie to giue that contribucon of 70^{li} beinge Preacher in the said Shippe and had further allso writt to diuers ffactories in the East Indies to stirr them vp to the like charitable contribucon toward^e this pious worke: It was therefore thought fitt and ordered that the said m^r Copland by waye of gratificaõ should haue 3 shares old Aduenture bestowed vpon him as a free giifte and should also be admitted a free Brother of the Company.

It was likewise moued that the Companie would please to ad^mitt m^r Balmeford into their Society in respect he had deserued so well by his often attendance at Court^e and readynes to doe the Companie seruice, ffor w^{ch} cause the Court hath made him free and do intreat his accustomed paines and attendance in the seruice of the Companie.

M^r Waterhowse beinge formerly chosen and appointed to collect the moneyes from such as are indebted to the Company vpon subscriptions, hauinge nowe presented his Propositions and agreem^{ts} made with the appointed Co^mittee who thought fitt to allowe him 50^s a weeke for his rydinge charges duringe his imployment to be taken out of his receipt^e from time to time and that a further considera^on should be had of his paines and trauell herein, wth w^{ch} m^r Waterhowse was contented and promised to sollicite the Bis^{ps} that were behinde gratis: The Court therefore takinge the said allowances into their considera^on did well aproue thereof and beinge put to the question confirmed the same vnto him promisinge to deale liberally with him vpon discharge of that [293] buissines, and further also for his better encouragement in so good a worke as he hath vndertaken they haue admitted him to be a free Brother of the Companie: And touchinge his Comission w^{ch} he is to haue under the Companies Seale whereby to authorise him to collect the said moneyes the Court hath referred it to S^r Iohn Dauers assisted with any fower other of the Counsell to drawe the same vp and beinge accordingly engrossed they haue authorized m^r Deputy to seale it with the legall Seale.

Intelligence was giuen that my Lord Bp: of Rochester beinge solicited for the moneys remayninge in his hand^e vnto the Companie vpon Collec^on made in his l^p^s Diocesse hath paid in the Some of 20^{li} to be imployed toward^e the buildinge of the Colledge in Virginia.

Whereas Captaine Martin preferred a peti^on to the Preparatiue Court complayninge of diuers greivances w^{ch} he desired the Companie to take into their considera^ons, an offer was made vnto him that if he would surrender his old Patent w^{ch} had bin so often questioned and complained of both by the Companie here and by the Gouvernor and Counsell of State in Virginia in respect of the vnlawfull priuiledges therein; directly contradictinge the standing orders of the Companie w^{ch} required all Patent^e to be made alike wth equall fauo^r (exceptinge the difference of Rent) vnto all, he should then not only haue a newe Patent in as large and ample manner as any other whatsoeuer but should also haue what further fauo^r and assistance for redresse of his said greiuances, as the Companie in equity could afford him, notwith-

standinge this admoniçon and faire offer Capt: Martin refused to drawe deliuer vp his said Patent sayinge that he would petiçon to the Quarter Court touchinge the premisses, and stand to the censure and iudgement thereof Wherevpon the matter beinge nowe againe propounded and a Coppie of his Patent openly read many iust exceptions were taken thereat in respect it containd greater imunities then the Companie may or can graunt by the Kinge Letters Patent, in somuch as the Court thought fitt for their better informaçon to referr it to a select Comitte to be reveiwd and therevpon did nominate

m ^r Herbert.	m ^r Iermyn.
m ^r Brooks.	m ^r Wrote.
m ^r Earle.	m ^r Nicho: ffarrar.
m ^r Gibbs.	

authorisinge them or any fower of them to meet about the same at m^r ffarrars howse when m^r Deputy shall appoint and to call Capt: Martin before them and to require a sight of the said Patent and whatsoeuer other writinge that may concerne the same w^{ch} they are entreated diligently to pvse and examine and to make report of their proceedinge together wth their opinions touching the validity thereof at the next Quarter Court. [294]

M^r Deputy gaue notice of nine Patent^ℓ nowe presented in Court to passe the seale of the Companie hauinge been perticularly examined by the morninge Court w^{ch} did approue of them w^{ch} Patent^ℓ were of Two sorte the one of such as were Aduenturers by moneys paid into the Treasury for w^{ch} they had allowed 100 acres of land for euery single share of Twelue pounde Ten shillings the other beinge for Planters only who had allowed fifty acres for euery person transported to Virginia: Accordinge to w^{ch} two formes the said Patent^ℓ were drawne and accordingly engrossed ready for the Seale being these that followe.

To Arthur Swayne Nathaniell Basse Aduenturers and to their Associat^ℓ who vndertake to transport 100 psons to Virginia.
To Rowland Truloue and diuers other Patentees Aduenturers & to their Associat^ℓ who vndertake to transport 100 psons.

To Iohn Crowe of Newton in the County of Washford in Ireland
esquire an Aduenturer who vndertakē to transport 100 psons.

To Edw: Rider and his Associatē an Aduenturer vndertakinge to
transport 100 psons.

To Capt Symon Leeke Planter vndertakē x^c 100 psons.

To Daniell Gookin of Corke in Ireland Planter x^c 300 psons.

To Edw: Bennett Robert Bennet Richard Bennett. Thomas Ayres
Thomas Wiseman and Richard Wiseman Planters who vndertaketh
for 200 psons.

To S^r Charles North of Wakringham in the County of Nottingham
for 100:

To m^r Leninge—100

So that the whole number vndertaken by the Aduenturers & Planters
to be transported to Virginia comes in all to 1200 psons.

All w^{ch} Patentē beinge put to the question were confirmed and ordered
to be sealed.

M^r Deputy likewise ~~moued~~ signified of 4 Co^missions appointed for
fower m^{rs} of Shippes nowe bound for Virginia for transporta^con of peo-
ple and goodē and after for a ffishinge voyage w^{ch} Co^missions were
nowe engrossinge for the seale the draftē hauinge been examined and
aproued of by the morningē Court vizt

The first Comission was to Iohn Huddlestone m^r of the Bona Noua of
about 200 Tuñ.

To Tho: Smith m^r of the Hopewell of 60 tuñ

To Dan: Gatē m^r of the Darlinge of 40 tuñ

To Capt: Thom Iones m^r of the Discouery of 60 tuñ.

All w^{ch} Co^missions the Court authorised m^r Deputy to seale. [295]

M^r Hawes moued that whereas the Companie had graunted a Patent
for a pticuler Planta^con to S^r Robert Heath then Recorder of London
and to his Associatē who were not expressly named that therefore
the said Patent might be renued and haue their names inserted therein
w^{ch} request was thought verie reasonable and well assented vnto.

It was also moued and thought fitt that all such as had any shares
passed ouer vnto them by order of Court or were otherwise Planters or

Associat℥ vnto any such as were Planters or had vpon their priuate charge sent any persons to Virginia, would please within some reasonable time to declare themselues vnto the Court that notice might be taken of their names to be registred in a booke for that purpose to be kept whereby they might be admitted to come vnto Court℥: It beinge otherwise against the order of the Companie for any to present himselfe in Court before he be admitted.

Whereas the Auditors of the old Magazine were earnestly entreated to audite the Account℥ in m^r Essingtons Hand℥ and to giue warrant to m^r Richard Bull to pay what shall appeare to be due to euery man the Brok℥ for non payment℥ at due times beinge allowed accordinge to the orders of the Magazine ffor somuch as it was informed that m^r Essington desired some better explanaçon of the said order touching the times when the said Brok℥ are to take their begininge It is found by perversall of the book℥, that it was ordered that the Brok℥ vpon default of the first payment should begin at Bartholmewe tyde, and for default of the other payment appointed to be made in Easter and Michas Termes, the allowance for brok℥ should begin at the end of those Termes, and so forward till this present daye and to ruñ at 20 p Centū and that the Auditors should be certified of this and desired to proceed accordingly.

Whereas a moçon was made in the former Court that for somuch as many Bills of Aduenture were ~~passed~~ presented to the Court from time to time w^{ch} were found to be omitted in the Printed Publicaçon that therefore the book℥ might be hereafter kept alphabetticallwise conteyninge the names of all such Aduentur^{rs} w^{ch} moçon was well approued of and order giuen to the Secretary to see it donn vnto whome all such bills are to be deliuered that he may register their names whome it doth concerne.

It beinge further moued in the former Court and referred to the consideraçon of this great Court, that whereas since the printed Publicaçon many orders were established in Quarter Court℥ that did binde the Companie no lesse then the standinge lawes themselues that therefore the aforesaid Court℥ might be pvsed and [296] Collecçon

made ~~into what part~~ of all such §bindinge§ orders w^{ch} beinge further ratified might be added to the rest of the Lawes in the Printed bookes The Court approued well of this Proposition and haue therefore recomended it to the care of a select Comitte to see it donn vizt.

S^r Edwin Sandys.

S^r Iohn Dāuers.

m^r Deputy.

m^r Gibbs.

m^r Wrote.

m^r Ro: Smith.

m^r Nicho: ffarrar.

m^r Caswell.

After these thinge were thus ordered m^r Deputy aduertized the Companie that he was to acquaint them with a waightie buissines namely the proceedinge of some former Court touching the Lord of the Priuy Counsell their late proposiōn and comāund for bringinge in all their Tobacco into England to paye the custome here due for that his Ma^{ties} revenues (as it was alledged by y^e fls) could not other wise be vpheld concerninge w^{ch} that this Court might the better vnderstand the whole proceed of this buissines from the verie begininge thereof to that pointe and period it was brought vnto, and wherevpon it nowe resteth he desired they would please to heare the same read in order as it was psecuted w^{ch} buissines begaⁿ the 15th of October last and so forward as may appeare by the seuerall Court.

W^{ch} beinge read m^r Deputy made two requeste vnto y^e Company, the first was to knowe whither they did approue of that he had donne by the aduise and direcōn of the ||said|| Court touching the former Propositions, the second was that they would nowe please to deliuer their opinions freely what course they conceaued best to take to release the Companie of this strict comāund and to restore themselves to their former liberty, and the rather for that it was expected that this ||Court|| especially (wherevnto it was referred) should do somethinge herein and not omitt to declare their resoluōn touching this present buissines concerninge the first the Court did generally assent therevnto testifyinge their good approbaōn of their pceeding and of their aunswares made vnto the lord of the Counsell freely acknowledging, that as the Cash stood more could not haue bin pformed, but for the other request concerninge the Companies expresse

resolucons touchinge the pointe in question, it was thought fitt to respite the same vntill some longer time, forsomuch as the Parliam^t might happily effect somethinge that might ease the Companie of that care & labo^r yet was it also held fitt that a choise and large Comitte^e should nowe be appointed to consult about this buissines and prepare the same against there should be further cause giuen to moue them to take some course for remedy hereof wherevpon these herevnder named were nominated and desired to meet vpon the next Satturday followinge at two of the Clocke in the afternoone at m^r ffarrars howse vizt

Lo: Cauendish.

Lo: Padgett.

S^r Edw: Sackuill.

S^r Dudley Digge.

S^r Walter Earle.

S^r Phil: Carey.

S^r Ro: Phillip.

S^r ffran: Egiocke.

S^r Io: Dauers.

S^r Sam: Sandys.

S^r Lawr Hyde. [297]

m^r Deputy, m^r Gibbs, m^r Wrote, m^r Nicho: Hide m^r Brooke m^r Ier-myn m^r Challon^r, m^r Kightly m^r Roberte ~~m^r~~ Bateman m^r Ro: Smith m^r Ditchfeild m^r Caswell m^r Ayers m^r Abraham Chamberlen m^r Bland m^r Bull m^r Barbo^r m^r Nicho: ffarrar m^r Smith m^r Caninge.

After this a mocon was made that for somuch as many Excellent Proiects had bin propounded at diuers Court^e in this last vacacon when many gentlemen were out of Towne, whereby they could not take that notice of them that was fitt that therefore they might nowe againe be read and published in open Court, seinge they did not onely tend to the great benefitt of the Aduenturers that were interessed therein but also to the great hono^r and aduancem^t of the generall Plantacon as would more plainely appeare by the Roll^e themselues beinge read vnto them wherevpon order was giuen for readinge of them seuerally.

The first beinge for settinge vp of a glasse furnace in Virginia for makinge of glasse and beads for the vse and benefitt of the Colony to

trade wthall, to w^{ch} end certen Italians and others to the number of 16 psons were already sent w^{ch} worke is hoped by this to be in a good forwardnes sett vp in aduancement whereof diuers Aduenturers had vnderwritten x^{li} a peece beinge the Some proposed to be paid by each Aduenturo^r w^{ch} is to be employed in a Iointe Stocke: So that that per-ticuler Roll was already come to the Some of 500^{li}.

A second Roll was a Magazine for prouisions of Apparrell and other necessities whereof the Colony stood in great need and did earnestly desire to be supplied w^{ch} was nowe prouided and the Shippe Departed w^{ch} was like to returne good proffitt vnto the seuerall Aduenturers vnto w^{ch} Roll there was already vnderwritt for a Iointe Stocke 1800^{li}.

The Third Roll was for sendinge of Mayd^e to Virginia to be made Wyues, w^{ch} the Planters there did verie much desire by the want of whome haue sprange the greatest hinderances of the encrease of the Planta^{ti}on, in that most of them esteeming Virginia not as a place of Habita^{ti}on but onely of a short soiourninge haue applyed themselues and their labo^{rs} wholly to the raisinge of present proffitt and vtterly neglected not only staple Co^modities but euen the verie necessities of mans life, in regard whereof and to preuent so great an inconuenience hereafter whereby the Planters mind^e may be the faster tyed to Virginia by the bond^e of Wyues and Children, care hath bin taken to prouide them younge handsome and honestly educated mayd^e whereof 60 are already sent to Virginia being such as were specially recomended vnto the Companie for their good bringinge vp by their parent^e or friend^e [298] of good worth: W^{ch} mayd^e are to be disposed in marriage to the most honest and industrious Planters who are to defraye and satisfie to the Aduenturors the charges of their passages and prouisions at such rat^e as they and the Aduenturors Agents there shall agree and in case any of them faile through mortality it is ordered that a propor^{ti}onable addi^{ti}on shalbe made vpon the rest, In the furtherance of w^{ch} Christian Ac^{ti}on diuers of the said Aduenturors had vnderwritt diuers good so^mes of money none vnder 8^{li} whereby the whole Some of that Roll did already amount to 800^{li} as may appeare by the subscriptions.

The ffourth Roll was intended for a most certaine and beneficiall trade of ffurrs to be had wth the Indians in Virginia in the lymitt℄ of the Southerne Colony, it beinge credibly informed both by letters from the Gouvernor and Counsell of State in Virginia as also by relaçon of others of the great Trade of ffurrs w^{ch} is yearely made by the ffrench and Duch Shippes in a verie great proporçon in D' Lawarr and Hudsons Riuer beinge not aboue 30 or 50 leagues distant from the Plantation and for that there is at this present so good an opertunity offered for the cheape and safe managing of the said Trade it hath moued many of the former Aduenturo^{rs} to subscribe vnto this Roll, Also wherein it is so ordered that none shall subscribe aboue 100^{li} nor any man for lesse then 20^{li}. Whereof onely a Third part for the present voyage is to be employed in w^{ch} Roll there is already vnderwritten the Some of 900^{li} w^{ch} Shippe is also departed.¹

The fift Roll w^{ch} is the last though not the least in estimaçon is for the sendinge of Shippwright℄ and howse Carpenters to Virginia where plenty of materialls is to be had, So that the onely want was of Skillfull and sufficient workemen in those kinde of professions whereof Diuers did nowe offer themselues to goe, wth whome the Colony beinge once furnished they will in short time be enhabled with Pynnaces and Boat℄ to make further discoueries vp into the Countrie and by meanes of howses ready framed to their hand℄ and afforded at reasonable rat℄ the Planters there and such as come newe ouer wilbe able to furnish themselues from time to time with substantiall howses well built and in a good manner to the comfort of the Inhabitants and future strength of the Plantaçon.

Herevpon it was signified that it was not the intent and meaninge of the former priuate Aduenturers to exclude any or to appropriate the same ~~the same~~ only to such as had already vnderwritten but that it was free for any member of the Companie to ioyne wth them and ptake of the hono^r and [299] and proffitt that would arise vnto them thereby wherevpon many gentlemen then present did offer themselues

¹ A letter to the Colony by the Company, concerning the third and fourth Rolls, is mentioned in List of Records, No. 279, p. 151, *ante*.

to become Aduenturers and subscribed vnto some of the said Rolls But for somuch as it was nowe growne late: It was moued that the Rolls might be presented at euery Court between this and the next Quarter Court, to the end that such as were disposed might subscribe vnto them.

Notice was giuen of a certaine gentleman lately come out of Ireland that offered to transport Cattle to Virginia at easie ratel: It was therefore moued that such as were desirous to send any Cattle thither would please to acquaint m^r Deputy therewith that they might proceed to a further treaty with the said Gentlemen.

M^r Deputy also signified that there were diuers verie good Shippes offred to goe to Virginia and therefore moued that such as had either good℄ or Passengers would giue notice of their names that preparaçon might be made accordingly.

AT A COURT HELD FOR VIRGINIA ON WEDENSDAY
THE 4TH DECEMBER 1621

m ^r Deputy.	m ^r Wiseman.	m ^r Cuffe.
m ^r Gibbs.	m ^r Bland.	m ^r Geo: Smith.
m ^r Wrote.	m ^r Mellinge.	m ^r Webbe.
m ^r Shippard.	m ^r Meuerell.	m ^r Sparrowe.
m ^r Nicho: ffarrar.	m ^r Iadwin.	m ^r Newport.
m ^r Edwards.	m ^r Morewood.	m ^r Whitely.
m ^r Ayres.	m ^r Widdowes.	m ^r Barbo ^r .
m ^r Rogers.	m ^r Baynham.	m ^r Swinhowe.
m ^r Abraham Chamblen.	m ^r Viner.	Capt: Bargraue.
	m ^r Woodall.	

Whereas by the last Quarter Court appointed a great Comitteē to take into consideraçon the Propositions of the Lords of the Counsell for bringing in all their Tobacco into England concerninge wth the said Comitteē were entreated to giue their best aduise and to prepare some

reasons touching the same (against occasion should be offered) m^r Deputy did nowe signifie vnto the Court that some of the said Co^m-ittee did meete accordinge to the appointement but in reguard there were but fewe then present they thought fitt to adiourne their proceedinge vntill some other time.

Captaine Leeke presentinge a Letter to this Court from the right Hono^{ble} the Lord Chamberlen directed vnto the Counsell and Companie of Virginia w^{ch} beinge opened and read, it appeared that his lp moued for twoe thinge in the behalfe of Capt: Leeke the one was that he might be made one of the Counsell of State in Virginia (where he intendē to plant himselfe) the other that he might haue the place of Collonellpp^e: conferred vpon him in respect of his sufficiency and experience to pforme that office w^{ch} place Capt: Leeke himselfe also said [300] that he affected onely for the honors sake wthout desiringe to put the Companie to any Penny charge for the same wherevpon the Court beinge willinge to satisfie his lp^e so farr as conveniently they might in respect of his lp^s good affection vnto the Plantacon and hono^{ble} endeauro^{rs} to aduance the same hath therefore made choise of a select Co^mittee to take it into their consideracon vizt

S^r Iohn Dauers.

m^r Wheatly.

m^r/Gibbs.

m^r Ayres.

m^r Wrote.

m^r Rogers.

m^r Nicho: ffarrar.

m^r Roger Smith.

m^r Abraham Chamblen.

m^r Baynham.

m^r Mellinge.

or any 5 of them who for the better expidicon of the buissines in reguard of m^r Leeks sodaine goeing into the Country are desired to meete this next ffriday beinge the 6^o of this present Moneth about two in the Afternoone at m^r ffarrars and are entreated to make report of their opinions touchinge the premisses.

ffor somuch as it was formerly ordered at a Court held the 14th of Nouember last by the consent of the Aduenturers of the old Magazine that m^r Abraham Chamberlen should take vp as much money as here

as appeared by the Account of Iohn D' Clarke to be due to the old Magazine and remayninge in his hande and paye the same ouer to m^r Rich: Bull that a Diuident might be made to the Aduenturers before Christmas; It was nowe complaned that the said order was not pformed But m^r Abrah: Chamblen said that he had not as yet Iohn D' Clarkes Account whereby he might knowe what was due vpon the foote thereof but beinge brought vnto him he hath promised that vpon the cominge of the Post from Midleburrough who was nowe expected wthin two dayes if it shall appeare by Iohn D' Clarkes letter he hath not already transmitted the money to be paid here, it shall then remaine still in Iohn D' Clarks hande and he will forthwith take vp somuch here and paye the same ouer vnto m^r Bull accordinge to the former order.

A mo^oon was made that forsomuch as certen errors were supposed to be ptly in the Virginia Companies Receipte and ptly in the paym^{ts} whereof a Collec^on had bin made of some p^ticulers amountinge to a good So^me nowe presented in Court and read that therefore the same might be referred vnto the Auditors to be further examined whereby the said Accounte might be righted w^{ch} mo^oon the Court assented vnto and ordered the same to be donn by the Auditors who are afterward to giue Account of their proceedinge touchinge the same.

Vpon intelligence giuen of one Thomas Butler sett short one share in the printed booke and of m^r Wheatly sett short two shares the Secretary was willed to take notice thereof and to enter them into the Booke for that purpose ordered to be kept. [301]

Captaine Bargaue moued that for somuch as Captain Martin intends to sett forward for Virginia nowe about Christmas that some present course might be taken for endinge the differences between them the former Co^mmittees hauinge as yet made no end thereof.

AT A COURT HELD FOR VIRGINIA THE 19TH OF DECEMBER 1621

PRESENT

S ^r Io Dauers.	Capt: Bargraue.
S ^r Walter Earle.	m ^r Barbo ^r .
S ^r Edw: Lawly.	m ^r Ayres.
m ^r Deputy.	m ^r Leuer.
m ^r Gibbs.	m ^r Paulavicine.
m ^r Wrote.	m ^r Copland.
m ^r Io: Smith.	m ^r Baynham.
m ^r Ro: Smith.	m ^r ffelgate.
m ^r Wroth.	m ^r Mellinge.
m ^r Nich: ffarrar.	m ^r Woodall.
m ^r Balmford.	m ^r Newport.
m ^r Shippard.	m ^r Robert ^e .
Capt: Leeke.	m ^r Cuffe.
	with many others.

The Committee appointed by the former Court to treat with Capt: Leeke hauing some of them mett and taken into consideraçon his two request^e namely to be one of the Counsell in Virginia and to haue a Collonellp: there for w^{ch} it had pleased my Lo: Chamblen by his Hono^{ble} Letter to recomend him vnto this Companie did nowe make report that they had agreed accordinge to his Lp^s Desire to reco^mend Capt Leeke to the next Quarter Court to admitt him one of the Counsell, but for his other request namely to be Collonell gen^{all} ouer the whole body of the Plantaçon, they conceaued it a place of that eminent Co^mmaund as it was not in their power especially beinge so fewe to creat or constitute so great an officer, and therefore thought fitt to leaue to the further consideraçon of this Court: Herevpon the Court agreed to respite the same till further aduise were taken therein: In the meane time S^r Io: Dauers is desired to acquaint my

Lo: Chamberlen wth those important reasons that moued them here-
vnto whereby they trust his lp: will remaine satisfied.

Whereas ||m^r|| Abraham Chamblen had formerly promised to take vp
so much money here as appeared by the Account of Io: D' Clarke to
remaine in his hande for the Tobacco sold by him at Midleburrough,
fforsomuch as Iohn D' Clarke had aduertized by letter that he had
trusted out some pt of the Tobacco to be paid at certaine dayes w^{ch}
were not yet due, m^r Chamblen therefore moued that the money
might be forborne till Iohn De Clarke had receaued it, beinge pswaded
~~that~~ §it§ was sure enough, but in the meane time he desired he might
not be tied to his former pmise least for his good will and paines
freely bestowed for the Companie he should ruñ into an inconven-
ience. [302]

The Auditors appointed for the old Magazine.

m ^r Kightly.	m ^r Clethero.
m ^r Cranmer.	m ^r Bland.
m ^r Bull.	m ^r Caswell.
m ^r Ayres.	m ^r Mellinge.
m ^r Abdy.	m ^r Cuffe.

are entreated to pfect those Accounte and it is required that m^r
Essington make no more warrante for paym^t of moneys but that the
Auditors pforme the same after they haue sett those Accounte right
who are likewise to take notice that it is nowe agreed and ordered
that those that haue already taken out their Capitall of Tobacco
shall haue no part of the Diuident in money, but such as haue taken
out but part shall haue so much allowed in money as may make them
equall with the rest that are to receaue vpon the Diuident of mony.

M^r Edwards and m^r Ditchfeild beinge at a Sum̃er Ilande Court
appointed to reparaire to S^r Tho: Smith for such writinge and booke as
concerned the Sum̃er Ilande are desired likewise to §en§treat of him
the Lottery booke to the end they may be examined by the Auditors.

The Auditors for the generall Colledge & Accounte for the Companie

S ^r Edwin Sandys.	m ^r Gibbs.
S ^r Io: Dauers.	m ^r Kightly.
m ^r Io: ffarrar Dept.	m ^r Cranmer.
m ^r Io Wroth.	

are desired by order of this Court to meete euery ffriday in the after-noone, at S^r Edwin Sandys howse and to beginn vpon ffriday next to examine such supposed erro^{rs} as haue bin obserued ptly in the Companies receipte and ptly in the paymente whereof a Colleccon hath bin made of some pticulers and if the errors be so found by the Auditors then the Casheires to be required to make good the defecte and proue the rest of the paymente by the seuerall Receipte remayninge in their hande or el^e not to be allowed of by the Auditors.

M^r Edwarde mouinge for payment of some money due vnto him many yeares agoe for Comodities sold the Compā: for w^{ch} he was neuer yet paid it was referred to the Auditors to be further enquired of.

Capt: Bargraue being required by the Companie to giue his aunswere nowe in Co^rt for the 500^l he stood indebted to the Magazine Companie ||for w^{ch}|| there was a sute between hime and Alderm: Iohnson and others nowe dependinge in the Chauncery said that as soone as the said cause were heard w^{ch} he hoped would be wth the first the next Terme hauinge procured my Lo: Keeps pemptorie order for it that then he would discharge the said Debt if it were due vnto the Companie. [303]

ffrauncis Carter wth the approbacon of this Court passed ouer two shares of land in Virginia beinge pcell of the 40 Shares assigned vnto him by the right Hono^{ble} the Lady Lawarr vnto m^r Ro: Hall of Graiss Inn.

Also one Share of land more vnto m^r Rich: Delbridge of Barnstable in the County of Devoñ marchant.

M^r Bamfeild signified vnto the Court of a booke compiled by a painefull Schoolm^r one m^r Iohn Brinsly: Wherevpon the Court gaue order that the Companies thank^e should be giuen vnto him, & appointed a select Co^mittee to pvse the said Booke vizt

S ^r Iohn Dauers.	m ^r Bamfeild.
m ^r Deputy.	m ^r Copland.
m ^r Gibbs.	m ^r Ayres.
m ^r Wrote.	m ^r Nicho: ffarrar.
m ^r Binge.	

who are entreated to meete when m^r Deputy shall appoint and after to make report of their opinions touchinge the same at the next Court.

AT A COURT HELD FOR VIRGINIA
ON WEDENSDAY THE 16 OF IANUA: i621

||PRESENT||

m ^r Deputy.	m ^r Caswell.	m ^r Copland.
m ^r Gibbs.	m ^r Rogers.	m ^r Caswell.
m ^r Wroth.	m ^r Robert ^e .	m ^r Caps.
m ^r Wrote.	m ^r Rich: Smith.	m ^r Darnelly.
m ^r Kightly.	m ^r Iadwin.	m ^r Swinhowe.
m ^r Shippard.	m ^r Waterhowse.	with diuers.
m ^r Nicho: ffarrar.	m ^r Mellinge.	
m ^r Barbo ^r .	m ^r Cuffe.	

The Co^mittee appointed to pvse the book^e w^{ch} m^r Io: Brinsly Schoolm^r presented at the last Court touchinge the educa^on of the younger sort of Schollers, for somuch as they had yet no time to pvse the same by reason of many buissinesses that did occurr they desired of the Court some longer respite w^{ch} was graunted vnto them m^r Copland beinge present was entreated to pvse it in the meane time and deliuer his opinion thereof vnto the said Co^mittees at their meetinge about it.

M^r Deputy signified that one Theodore Wadsworth m^r of the Geo: of London of about 100 Tuñ (beinge bound for Virginia) did desire a Comission for transportinge of 60 Passengers wth their Prouisions w^{ch} was graunted and order giuen to m^r Deputy to seale it. [304]

He further also signified that one m^r Henry Southey a So^mersett-sheire gentleman did desire a Patent for a p^ticular Planta^on in Virginia to him and his Associat^e vndertaking to transport one hundred p^ons thither (hauinge sent some already) Wherevpon the Court gaue order for the drawinge up of a Patent for him in the vsuall forme against the next Quarter Court.

Hee further signified that whereas a Patent was graunted to Capt: Nath: Bassey and ||other|| his Associat^e for a p^ticular Planta^on it was desired that the Patent might be renued onely for inserting the names of such as were to be his Associats w^{ch} the Court assented vnto.

M^r Deputy acquainted the Court that one m^r Leat a Minister beinge heretofore in Newfoundland and preacher there whome m^r Slany the marchant comended for his ciuill and good carriage the said m^r Leat hauinge upon conference wth some of Virginia heard a good report of that Comitte^e ||Countrey|| was nowe desirous to goe ouer not meaninge to put the Companie to any further charge then onely to furnish him with necessaries and such book^e as shall be vsefull vnto him ||hoping|| they would please to recomend him to the Gouvernor (wth whome he desires to remaine till a place in that Countrie become voide) that he may be then preferred w^{ch} request the Court thought verie reasonable and referred him to the generall Comitte^e to be treated and concluded wth touchinge some moderate allowance to be bestowed vpon him and haue appointed him to preach vpon sonday come sennight in S^t Scyths Church in the afternoone proposinge seuerall Text^e vnto him to take his choise, but beinge more willing to take what text the Companie would giue him they haue appointed him the 9th of Isay 2^o verse.

M^r Nicholas ffarrar beinge formerly chosen Treasurer by the Aduenturers of the glassework^e moued that for somuch as he had issued out

their names accordinge to their direccons and therevpon made vp his Accounte that therefore some might be appointed to audite his said Accounte: Wherevpon the Court entreated m^r Kightly on the behalfe of the Companie and these other hereafter named on the behalfe of the said Aduenturers to examine and audite the said Account vizts.

m^r Gibbs.

m^r Wrote.

m^r Barbo^r.

m^r Darnelly.

m^r Mellinge.

m^r Swinhowe

m^r Wroth.

m^r Roberte.

who are entreated to meet at m^r ffarrars vpon Satturday about 9 in the morninge to this purpose. [305]

Herevpon m^r Deputy moued that not onely a Coppie of this perticuler Account after the same be once audited but also the Coppies of all other Accounte in like manner beinge audited and allowed might remayne in the Counsell^e Chest to be forth cominge when soeuer they shalbe required w^{ch} mocon was well approved and ordered accordingly to be obserued & kept.

Informacon was giuen that an vnknowne person had made offer to vndertake the prosecutinge of a Proiect in Virginia for w^{ch} he would paye a good rent vnto the Companie and after seauen yeares it should be free for any to vse the same: But the Companie beinge much discouraged wth Do^r Bohuns proiect w^{ch} promised much benefitt but in the end came to nothinge were vnwillinge to giue waye to any such newe proiecte but rather wished the Proiecter to explaine himselfe freely to some of the Companie what it was he aymed at and they would be ready to afford him all lawefull fauo^r and assistance in so worthie an enterprize.

M^r Deputy acquainted the Companie that whereas m^r Barret a very sufficient Shippwright ||was|| entertained to goe to Virginia about a Moneth hence for settinge out of whome and his Comp^a diuers had vnderwritten good Somes of money as appeared by the Roll of Boatewrighte and howse Carpenters nowe presented in Court w^{ch} Roll for

somuch as it was not yet fully made vp to that Some w^{ch} so great a worke did require it was therefore moued that such as were desirous of the hono^r and proffitt that would hereby acruē would please to vnderwrite vnto the said Roll.

AT A COURT HOLDEN FOR VIRGINIA
THE 21 OF IANUARY 1621

m^r Deputy.
m^r Gibbes.
m^r Wroth.
m^r Wrote.
m^r Kightly.
m^r Nich: ffarrar.
m^r Couell.
m^r Woodall.

m^r Wheatly m^r.
m^r Bland.
m^r Bromefeild.
m^r Robert℄.
m^r Caswell.
m^r Edward℄.
Capt: Tucker.

m^r Rogers.
m^r Meuerell.
m^r Cuffe.
m^r Swinhowe.
m^r Palmer.
m^r Barbo^r.
m^r Mellinge.

This Court beinge called to heare the Propositions of Martins Hundred Society beinge to receaue their Patent the said Aduenturo^{rs} made a request in the name of S^r Iohn Wolstenholme Knight and diuers other of the Companie that they might seuer themselues from such as refused to proceed in that Plantaçon and the next Quarter Court being the 30th of this present Moneth haue a new Patent graunted vnto them and some others who with them hath of late sent a large Supply of people to Virginia w^{ch} requ[est] [306] although the Court after much debate conceaued is not onely fitt and convenient but also iust and necessarie as could not be Denied yet to the intent that no mans right might be preiudiced vpon the moçon of §some of§ the first Aduenturers that refused now to proceed there was a select Co^mittee chosen to heare and receaue any obieccōns that could be made vnto the contrary and it was ~~and~~ ||ordered|| that p^ticular notice of this

buissines be giuen vnto euery man by leaving this order at his howse on Thursday next beinge the 24th of this present the said Comittee ||are these|| vizt

S ^r Io: Dauers.	m ^r Wrote.
m ^r Gibbs.	m ^r Edward ^e .
m ^r Wroth.	Capt Tucker.
m ^r Kightly.	

are appointed to meete about 2 in the afternoone at m^r ffarrars howse in S^t Scythys Lane.

M^r Woodall hauinge heard in what good and orderly sort the said Aduenturers did intend to proceed to aduance that Plantation and beinge fully satisfied in those obieccōns w^{ch} moued him to refuse to come in at the first did nowe make a proffer that if the Companie would ~~be~~ pleased to accept of his paym^t in Cattle w^{ch} should be deliuered vnto them in Virginia he would then willingly make vp his former Supplies to the proporcion of 10^{li} the share for so many as he Vnderwritt for w^{ch} offer the Court accepted of provided he giue his Bond for the pformance of his promise either in Cattle §at such rates§ as they are sold in Virginia or to pay so much in money here, w^{ch} he promised to doe.

M^r Wrote signified that he was to make a request vnto the said Aduenturers of Martins Hundred in the behalfe of a frend of his a gentleman of good worth and Sufficiency namely m^r George Mordan of North walsam in the County of Norff esqr who was desirous ~~who~~ after they had settled and compossed this buissines to come in amongst them for three shares, if he might be admitted a free brother of the Companie, and because the said gentleman should seldome be here himselfe by reason of his remote dwelling he did also desire that himselfe might in his absence supply his person and giue his voice as freely as if he were here himselfe present both w^{ch} request^e beinge taken into consideraçon the said Companie were pleased to assent vnto as well for makinge the said gentleman free as for admittinge m^r Wrote to haue free voice amongst them in the said gentlemans absence [307]

A PRÆPARATIVE COURT HELD FOR VIRGINIA IN THE AFTERNOONE
ON WEDENSDAY THE 28TH IANUA: 1621

S ^r Io Dāuers.	m ^r Copland.	m ^r Barbo ^r .
S ^r Io: Wolstenholme.	m ^r Balmford.	m ^r Waterhowse.
m ^r Deputy.	m ^r Ewens.	m ^r Nicholls.
m ^r Wrote.	m ^r Widdowes.	m ^r Essington.
m ^r Wheatly.	m ^r Mellinge.	m ^r Meuerell.
m ^r Caswell.	m ^r Cuffe.	m ^r Swinhowe.
m ^r Kightley.	m ^r Bull.	m ^r Leat.
m ^r Viner.	m ^r Hackett.	m ^r Shipton w th
	m ^r Roberts.	diuers others

The Patent^ℓ formerly ordered to be drawne vp were nowe presented to the Court to be read vizt.

A Patent to S ^r Geo: Yeardley and his Associat ^ℓ who } being an Aduenturer vndertake to transport	300 psons
The second to m ^r Leueson Aduent ^r vndertakinge to } transport	100
A third to Capt: Nath: Basse and his Associat ^ℓ	100
A fourth to Capt: W ^m Welden a Plan ^r vndertakinge to } transport	100
A fift to m ^r Caps a Planter vndertaking to transport...	100
A sixt to Henry Southey of Rimpton in Somersett sheire } a Planter vndertakinge to transport.....	100
in all	800 psons

W^{ch} Patent^ℓ beinge examined and read were put to the question and by ereccon of hand^ℓ approued of and recomended to this next Quart^r Court to passe the Soale of the Companie.

The Patent likewise for Martins Hundred was also appointed to be drawne vp against the next Quarter Court and the Companie entreated to meet in the forenoone to examine the same that it might be ready to pass the Seale with the other Patent. [308]

A letter was brought to the Court by an vnknowne pson directed to the Hono^{ble} Companie of Virginia, content℥ whereof are sett downe verbatim in the Quarter Court followinge this.

W^{ch} Letter beinge read the Companie did much reioyce to heare that it had pleased God still to stirr vp so worthie a benifactor vnto the Plantation: And because the said Letter containd some matter of waight in it, This Court thought fitt to referr it to the consideraçon of the Quarter Court when the Companie were desired (accordinge to the request of the said Letter) to giue some Account howe the said first money was imployed for the better satisfacçon of the Donor.

M^r Waterhowse presented in writinge the Aunsweares of such as he had solicited for moneys due vpon their subscripçon vnto the Companie, by w^{ch} it appeared that diuers had Acquittances to shoue for payment of those moneys they are charged with, and some others desired time to consider thereof The Court thought fitt to recomend it to the Auditors to take such course therein as they should see cause: Wherevpon S^r Io: Dāuers signified that he had moued my Lord Keeper for the Assistance of his Lps Letter vnto such as should refuse to paye in their moneys due vpon subscripçon to the Companie And that it pleased his lp: to promise §his lřes§ should be ready if occasion were offered.

And in reguard m^r Waterhowse had taken great paines about solicitinge for moneys and had giuen so good an Account of what he had already donn It was vpon moçon thought fitt to bestowe vpon him two shares of land old Aduenture w^{ch} beinge put to the question was well approued of.

The like reward of two Shares of land was thought fitt to be bestowed on m^r Balmeford in respect of his often attendance at Court℥ and

Desire to doe the Companie seruice w^{ch} was also approued and there-vpon as the other referred to the Quarter Court for confirmacon.

Notice was giuen that m^r Euans produced Bill^e of Aduenture for fīue shares of land whereas in the printed booke he was sett downe but fower to rectifie w^{ch} the Court gaue order to the Secretary to note this Defect in his Alphabetticall booke: And for somuch as m^r Euans desired to passe two of his said Shares vnto m^r Tho: Newton, the Aditors hauing allowed thereof the Court was pleased likewise to giue their approbacon. [309]

Intelligence was also giuen that one m^r Tho: Leuison (beinge the gentleman that thath ~~nowe~~ taken a Patent for a pticuler Plantacon) did make it appeare by his seuerall Bill^e of Aduenture vnder the Companies Seale that there was Due vnto m^r ||W^m|| Leuison his ffather deceased seauen Shares of land for moneys paid into the Treas-ury whereas in the printed booke he had but three sett downe so that fower of his Shares were cleane left out whereof the Secrē was willed to take notice.

M^r Deputy signified that m^r Copland hauing had some shares of land bestowed vpon him by the last Quarter Court in reward of his good desert^e, did nowe moue that he might haue his said Shares confirmed vnto him vnder the Companies Seale with allowance of fiftie acres for euery person that he and his Associat^e shall transport with such other priuiledges and y^munities as shalbe thought fitt and necessarie w^{ch} mocon was well approued of and order giuen to the Secrē to drawe an Instrument against the Quarter Court to that purpose: Where-vpon it was also moued and thought fitt that this fauo^r should be extended generally to all that should desire the same that their land^e might be confirmed vnto them vnder the Companies Seale.

M^r Deputy signified that m^r Leat Minister beinge formerly appointed to preach this last Su^mer in S^t Seyths Church vpon a Text that was giuen him § had nowe p^rformed the same § with good approbacon and beinge still desirous to goe to Virginia and to be recomended to the

Gouernor for the next place that shall become voide; he praid they would please to take his request into their consideraçon and that he might haue some gratuity bestowed vpon him to furnish him wth necessaries W^{ch} request the Court conceaued to be verie reasonable and therevpon agreed to giue him 20^{li} to furnish him with book℥ and Apparrell and to paye for his transportaçon.

M^r Deputy signified that whereas order was giuen for drawing vp a Patent for the Su^mer Iland℥ Companie for confirminge the land℥ graunted vnto them in Virginia touchinge w^{ch} m^r Robert Smith had taken some paines to make a Draft who desired S^r Edwin Sandys to pvse the same: But S^r Edwin hauinge much buissines of the Companies had no spare time as yet to examine the same So as they must nowe respite it ~~till the next~~ till the next Q^r Court when it shalbe made ready for the seale.

Henry Mansell hauinge pretended in his petiçon to my Lo Keeper that the Virginia Companie stood indebted vnto him aboue 60^{li} due about six or seauen yeares since was willed to be present at this Court But for somuch as he came § not § it was thought fitt he should referr him selfe to the Quarter Court to make it appeare howe the said Debt came due vnto him. [310]

And for somuch as m^r Caninge at the last Su^mer Iland℥ Court pretended the Virginia Companie to be much indebted vnto him, was entreated to be here at this Court to make the said Debt appeare, but seinge he is not come, this Court thought fitt to recomēd it to the Quarter Court to appoint some Co^mittee to examine his Account℥ that what shall appeare to be due may be Discharged.

M^r Kightley beinge one of the ~~Adventurers~~ § Auditors for the old Magazine § moued that for somuch as in the Auditinge of the Magazine § Account℥ § he had taken notice¹ of some thing℥ of moment fitt to be made knowne in regard he found many good Debt℥ due vnto the Companie that therefore there might be a meetinge of the Magazine

¹Originally written "taking notice."

Aduenturers to take Account what had bin donn by the ~~afere~~ said Auditors w^{ch} mo^{on} was well approued of and agreed to meet vpon Friday in the Afternoone at m^r Deputy ffarrars.

A mo^{on} was made that a speciall Co^mittee might be appointed by order of the next Quarter Court that might haue power to treat and contract wth such as should offer to send young youthes and to be at part of the charge to Virginia, w^{ch} mo^{on} was well approued of and therevpon these followinge were named vizt

S^r Edwin Sandys.

S^r Io: Dāuers.

m^r Deputy.

m^r Wrote.

m^r Gibbs.

And for somuch as it was signified by m^r Deputy that m^r Recorder of this Citty was ready to doe good Offices for the Companie in this kinde by procuringe Children to be sent out of this Citty to Virginia vpon reasonable Termes, it was desired that S^r Edwin Sandys would please to giue him thank^e in the name of the Company for his forwardnes herein.

Vpon the presentinge of m^r ffarrars Account^e touchinge the glasse buissines w^{ch} beinge audited were much co^mended for the exact forme thereof, a mo^{on} was made that both a Coppie of this and all other Account^e of priuate Aduenturers and Vndertakers for the aduancement of publique work^e for the Colony might be kept in y^e Companies Chest to the end y^e memory of those that were the first Aduenturers and founders of so worthie designes might be preserued vnto their prosperity.

The Rolls for sendinge of Mayd^e and for the trad of ffurrs & for the Boatwright^e & howse Carpenters did nowe lye open in Court for Aduenturers that pleased to vnderwrite. [311]

AT A QUARTER COURT HELD FOR
VIRGINIA THE 30TH OF IANUAR 1621

||PRESENT||

m ^r Deputy.	Ea: of Warwicke.
m ^r Gibbs.	Lo: Padgett.
m ^r Wrote.	Lo: Warwicke.
m ^r Io: Smith.	Lo: Cauendish.
m ^r Ro: Smith.	S ^r ffranc Leigh.
m ^r Keightley.	S ^r Edwin Sandys.
m ^r Nich: ffarrar.	S ^r Phil: Carey.
m ^r Tomlins.	
m ^r Rogers.	After the readinge of the former Quarter Court
m ^r Barbo ^r .	m ^r Deputy signified of diuers Patent [℥] w ^{ch} beinge
m ^r Ayres.	read in the Præparatiue Court were well ap-
m ^r Caswell.	proued of and reco ^m ended to this generall Court
m ^r Wiseman.	for confirma ^ç on namely
m ^r Swinhow.	
m ^r ffaucet.	A Patent graunted to S ^r Geo
m ^r Iadwin.	Yeardley an Aduenturer who vn-
m ^r Waterhowse.	dertak [℥] to transport & plant..... } 300 Persons
m ^r Elkington.	
m ^r Meuerell.	A Patent to Tho: Leueson an Ad-
m ^r Bromfeild.	uenturer for 100
m ^r Berblocke.	To Capt: Nath: Basse and his As-
m ^r Binge.	sociat [℥] 100
m ^r Grey.	
m ^r Gardiner.	Patent to Capt: W ^m Welden a
m ^r Widdowes.	Planter vndertakinge for..... } 100
m ^r Viner.	
m ^r Shipton.	A Patent to Henry Southey of
m ^r Weston.	Rimpton in the County of in } 100
m ^r Mellinge.	Somersetts sheire a Planter for...
m ^r Hart.	

m ^r Taylo ^r .	Patent to William Caps for.....	100
m ^r Newport.		
m ^r Man.	In all	800 psons

m^r Martin.
 m^r Stubb^e.
 m^r Brewer.
 m^r Wheatley.
 m^r Edw: Rogers.
 m^r fflaxton.
 m^r Geo: Smith.
 m^r Boothby.
 m^r Harrison.
 m^r Hacket.
 m^r ffelgate.
 m^r Copland.
 m^r Balmford.
 m^r Woodall.
 m^r Barker.
 m^r Moor^r.
 m^r Matson.
 m^r Lilly.
 m^r Bull.
 m^r Couell.
 m^r Bagwell.
 wth diuers others.

W^{ch} Patent^e were all put to the question and ordered to be sealed.

A Patent likewise for Martins Hundred hauing bin examined by this morning^e Court called on purpose for it accordinge to the former Co^{rts} appointment and by it approued as beinge drawne accordinge to Southampton Patent, It was nowe put to the question and ordered to be sealed.

[312]

The Letter subscribed D and A was brought to the former Court by an vnknowne Messenger was nowe againe ||presented|| to be read the Content^e whereof are as followeth.¹

January 28th 1621

Most worthie Companie

Whereas I sent the Treasuror and yo^r selues a letter subscribed Dust and Ashes w^{ch} promised 550^{li} to such vses therein expressed, and did soone afterward, accordinge to my promise send the said money to S^r Edwin Sandys to be deliuered to the Companie, In w^{ch} letter I did not strictly order the bestowinge of the said money but shewed my intent for the conversion of Infidell^e

¹This document was copied into the manuscript at a later date.

Children, as it will appeare by that letter w^{ch} I desire may be read in open Court wherein I chiefly comended the ordering thereof to the wisdom of you the Noble §Hono^{ble}§ Companie, And whereas the gentlement of Southampton Hundred haue vndertaken the disposing of the said 550^{li} I haue longe attended to see the erectinge of some Schoole or other waye whereby some of the Children of the Virginians might haue bin taught and brought vp in Christian religion and good manners w^{ch} not beinge donne accordinge to my intent but the money deteyned by a priuate hundred all this while contrary to my minde, though I iudge verie charitably of that hono^{ble} Society, And as already you haue receaued a great and the most painefully gained part of my estate towardē the laying of the foundaçon of Christian religion and helping forward of this pious worke in that Heathen nowe Christian land, So nowe I require of the whole Body of yo^r Hono^{ble} and worthie Companie (whome I entrusted with the dispose of the said moneyes,) to see the same speedily and faithfully converted to the worke intended: And I do further propound to you the hono^{ble} Companie that if you will procure that some of the male Children of y^e Virginians (though but a fewe) be brought ouer into England here to be educated and taught, and to weare a habbit as the Children of Christē Hospitall do, and that you wilbe pleased to see the said 550^{li} converted to this vse then I §do§ faithfully promise that when eight or ten of the Virginians Children are brought ouer, and placed in London either in Christē Hospitall or elē in the Virginian Schoole or Hospitall (as it may be called and by the willē and guiftē of good men may be yearely augmented) where the Companie may haue an ey ouer them and be (as it were) nursinge ffathers vnto them then I say I faithfully promise to add 450^{li} more to make the Summe 1000^{li} w^{ch} if God permitt I will cheerfully send you only I desire to nominate the first Tuto^r or Gouvernor who shall take charge to nurse and instruct them: But if you in yo^r Wisedomes like not of this moōon then my humble Suite vnto y^e whole body of yo^r Hono^{ble} Companie is that my former guift of 550^{li} be wholly employed & bestowed vpon a free Schoole to be erected in Southampton Hundred (so it be presently employed) or such other place as I or my freindē shall well [313] like of wherein both English and Virginians may be taught together and that the said Schoole be endowed with such priuiledges as you in yo^r wisdomes shall thinke fitt: The M^r of w^{ch} Schoole I humbly craue may not be allowed to goe ouer except he first bringe in to the Companie sound testimony of his sufficiency in learninge and sincerity of life The Lord giue you wise and vnderstandinge hartē that his worke herein be not negligently performed.

D and A

Directed

To the right Hono^{ble} and worth the Treasuror Counsell and Company for of Virginia.

This letter beinge referred to the consideraçon of this Court for somuch as it did require an Account of the Companie howe they haue expended the saide money vizt the 550^{li} in gold for the bringinge vp of the Infidell^e Children in true religion and christianity, S^r Edwin Sandys declared that the said money cominge vnto him enclosed in a box in the time of his beinge Treasuror, not longe after a letter subscribed Dust and Ashes had bin directed vnto him in ~~the~~ quality of Treasuror, and Deliuered in the Court and there openly read he brought the money also vnto the next Court ~~and there openly read in the Box vnopened~~: Wherevpon the Court after a large and serious deliberaçon howe the said money might be best imployed to the vse intended, at length resolved that it was fittest to be entertayned by the Societies of Southampton Hundred and Martins Hundred and each to vndertake for a certaine number of ~~the~~ Infidell^e Children to be brought vp by them, and amonngst them in Christian Religion and some good Trade to lyue by accordinge to the Donors religious desire; But Martins Hundred desired to be excused by reason their Plantaçon was sorely weakened and as then in much confusion: Wherevpon it being pressed that Southampton Hundred should vndertake the whole they also consideringe together with the waight the difficulty also and hazard of the buissines were likewise verie vnwillinge to vndertake the managinge thereof and offered an addiçon of 100^{li} more vnto the former some of 550^{li} that it might not be put vpon them. But beinge earnestly pressed therevnto by the Court and findinge no other meanes howe to sett forward that great worke yealded in fine to accept thereof: Wherevpon soone after at an Assembly of that Society the Aduenturers entred into ~~scarefull~~ a consideraçon howe this great and [314] and waightie buissines might with most speed and great aduantage be effected: Wherevpon it was agreed and resolved by them to imploy the said money together with an Addiçon (out of the ~~said~~ Societies purse) of a farr greater Some toward the furnishinge out of Captaine Bluett and his Companie beinge 80 verie able and sufficient workmen wth all manner of prouisions for the settinge vp of an Iron worke in Virginia, whereof the proffitt^e accruinge were intended and ordered in a ratable proporçon to be faithfully imployed for the educatinge of 30 of the Infidell^e Children in Christian Religion and

otherwise as the Donor had required: To w^{ch} end they writt verie effectuall letters vnto S^r Geo: Yeardley then Gouvernor of Virginia and Capt: also of Southampton Plantation: not onely recomēdinge the excellencie of that worke, but also furnishinge him at large with aduise & direcōn howe to proceed therein with a most earnest adiuracōn (and that often itterated in all their succeedinge Letters) so to imploy his best care and industrie therein, as a worke whereon the eyes of God, Angellē, and men were fixed: The Coppie of w^{ch} letter and Direcōn through some omission of their Officer was not entred in their booke, but a course should be taken to haue it recouered.

In aunsweare of this letter they receaued a letter from S^r George Yeardley; shewingē howe difficult a thinge it was at that time to obtaine any of their Children wth the consent and good likeing of their Parentē by reason of their tendernes of them & feare of hard vsage by the English vnlesse it might be by a Treaty with Opachankano the Kinge w^{ch} Treaty was appointed to be that Sum̄er wherein he would not faile to do his vttermost endeauo^{rs}.

But Capt: Bluett dyinge shortly after his arriual, it was a great settinge backe of the Iron worke intended; yet since that time, care had bin taken to restore that buissines with a fresh Supplie: So as he hoped well, the gentleman that gaue this guift should receaue good satisfacōn by y^e faithfull Account w^{ch} they should be able and at all times should be ready to giue touchinge the imployment of the said money.

Concerninge w^{ch}, S^r Edwin Sandys farther said that as he could not but highly comēd the gentleman for this his worthie & most Christian Act, So he had obserued so great inconvenience by his modestie and eschewingē of shewe of vaine glorie by concealinge his name, whereby they were depriued of the mutuall helpe and aduise w^{ch} they might haue had by conference wth him and whereby also he might haue receaued more cleare satisfacōn wth what integrity care & industrie they had managed that buissines the successe whereof must be submitted to the pleasure of God as it had bin comended to his blessinge. [315]

Hee concluded that if the gentleman would either vouchsafe himselfe to ~~to~~ send any of his frend~~e~~ to conferr with the said Society they would be glad to apply themselues to giue him all good satisfac~~on~~ But for his owne pticular iudgement, he doubted that neither of the two courses pticularised in this last letter, nowe read in Court would attaine the effect so much desired: ffor to send for them into England and to haue them educated here, he feared (vpon experience of those brought by S^r Tho: Dale) might be farr from the Christian worke intended, Againe to begin wth buildinge of a ffreeschoole for them in Virginia he doubted (consideringe that none of the buildinges there there intended had ~~as~~ yet prospered,) by reason that as yet through their dotinge so much vpon Tobacco no such workmen could be had but at intollerable rat~~e~~, it might rather tend to the exhausting of this sacred Treasure in some smale fabricke then to accomplish such a founda~~on~~, as might satisfie mens expecta~~on~~s wherevpon he wished againe some meetinge between the Gentlemen or his frend~~e~~ and Southampton Society that all thing~~e~~ beinge debated at full and iudiciously ~~se~~ wayed some constant cours might be resolu~~d~~ on and pursued for the pceeding in and pfectinge of this most pious worke for w^{ch} he praid the blessinge of God to be vpon the Author thereof; And all the Companie said Amen.

In the midst of this narra~~on~~ a stranger stept in presentinge 4 books fairely bound sent from a pson refusinge to be named who had bestowed them vpon the Colledge in Virginia beinge from the same man that gaue heretofore fower other great book~~e~~ the names of these he nowe sent were these vizt a large Church Bible, the Co~~m~~on prayer booke, Vrsinus¹ Catichisme and a smale Bible richly imbroydered: The Court desired the Messeng^r to returne the gen^t. that gaue them their generall acknowledgm^t of much respect and thank~~e~~ due vnto him.

A lre also was presented from one that desired not as yet to be named wth 25^{li} in gold to be imployed by waye of Addi~~on~~ vnto the former contribu~~on~~ toward~~e~~ the buildinge of a ffree schoole in Vir-

¹ Zacharias Ursinus.

ginia to make vp the other some 125^{li} for w^{ch} the Companie desired the messenger to returne him their hearty thankē.

M^r Waterhowse hauinge two shares of land bestowed vpon him for the great paines he had taken in sollicitinge such as stand indebted unto the Companie vpon their subscription whereof he had giuen a verie good Account, the said shares beinge put to the question were ratified & confirmed ~~and~~ vnto ~~them~~ him.

M^r Balmeford hauinge also two shares of land giuen him in consideration of his often attendance at Courtē and readines to doe the Companie seruice, being nowe put to the question were confirmed.

And whereas m^r Hugh Euans made request y^t he might passe 2 of his shares to m^r Tho: Newton beinge allowed of by the Auditors & approued of by y^e former Court they were put to the question & confirmed vnto him, w^{ch} Shares were due vnto him vpon paym^t of his 4th and fifth Supply as by Acquittances may appeare.¹ [316]

Intelligence beinge giuen of diuers that complained they were sett downe lesse in the printed §booke§ then they had bills of Aduenture to shewe: The Court herevpon hath ordered that such Billē should be deliuered to the Secretary (takinge a note of receipt vnder his hand) whereby the said Billē might be in a readines to be examined by the Auditors who are to amend those defectē and erro^{rs} and thereby rectifie the booke against the next Publicaçon and to this end m^r Waterhowse is desired to giue knowledge of this order to such as ||he|| shall sollicite and finde to be wronged in that kinde.

Herevpon S^r Edwin Sandys tooke occasion to report what paines he had taken in reveiwing the seuerall Somes sett downe in the printed booke by comparinge S^r Thomas Smiths Leger and Cash booke together, w^{ch} beinge carelesly kept by his Officers who had sett downe diuers Somes of money vnder mistaken names, he found thereby such variance and disagreement between the saide Bookē as he had much adoe to reconcile them, yet he said he had nowe found out a meanes

¹ This paragraph was inserted by the copyist in finer writing at the bottom of the page.

to excuse some exceptions that were formerly taken thereat, but Some others, the Auditors for S^r Tho: Smith desired some time to consider of.

M^r Copland the preacher hauinge three shares of land old Aquen-ture bestowed vpon him by the last Quarter Court in reward and gratificacon of his good Deserte did nowe humbly desire the same might be confirmed vnder the Companies Seale wth allowance of fiftie acres the pson more for so many as he and his Associat^e should Vndertake to transport at their owne propper cost^e and charges W^{ch} request was thought verie reasonable, and hauinge a Deed to this purpose ready drawne (accordinge to the order of the former Court) w^{ch} was nowe presented and read the Court approued thereof and ordered it to be sealed. [317]

M^r Deputy signified that m^r Leat the Minister beinge appointed to preach this last Sundy in S^t Scythys Church vpon a Text the Comp^a gaue him had pformed the same with good approbacon and beinge still Desirous to goe to Virginia recomeded to the Gouvernor and Counsell there to remayne in expectaunce till some place in the mistry become voide, did therefore praye the Companie would please to furnish ~~them~~ §him§ with some smale allowance for booke^e and other necessaries: w^{ch} request hauinge bin formerly taken into consideracon it was thought fitt to allowe him 20^{li} to furnish §him§ with booke^e and apparrell, and to paye for his transportacon: W^{ch} allowance the Court did well approue of.

M^r Deputy signified that one Henry mansell in his petiçon to my Lo: Keeper, amongst other his grevances he complained that the Virginia Companie stood indebted vnto him in 60^{li} aboue these six or seauen yeares for w^{ch} cause beinge present at the Sum^r Iland^e Court held on Monday last in the morninge he was willed by the whole Court to attend the Præparatiue Court held for Virginia in the afternoone, where if he could make the said Debt appeare to be due vnto him they doubted not but order would be taken to giue him satisfaccon but he neither appeared then nor nowe:

Wherevpon the Court thought fitt the Co^mitte^e appointed to certifie my Lo: Keeper touchinge this and some other his complaint^e should let his lp: knowe that Mansell neuer acquainted the Auditors wth this his pretended Debt as he ought to haue donne, nor did he euer Dem^dand it before of the Companie and yet he alledgeth in his peti^{ti}on the said Debt to be due to him aboue six yeares since in the time of S^r Tho: Smithes beinge Tr^eer And further that beinge lately warned to two seuerall Virginia Court^e to make his said Debt appeare to be due vnto him, he had notwithstandinge contemptuously as it seemeth refused to come.

And for somuch as it was nowe §likewise§ reported vnto the Court that he hath giuen out, he was a free Brother of this Company (w^{ch} must either be by purchase of some shares of land or by fauo^r of the Court vpon his Desert^e:) It was thought fitt he should be required to make it appeare howe he came by his pretended freedome: And for this cause the Court gaue order that he should bee pemptorily warned to be present at the next Court. [318]

And forsomuch as m^r Caninge challenged also much money to be due to him vpon seuerall Account^e he was likewise entreated by the said Sum^{er} Iland^e Court to make his Debt appeare at the Præparatiue Court held for Virginia or at the Quarter Court held this present morninge but he came not at all The Auditors did also report that m^r Caninge had bin often called vpon to bringe in his Account^e vnto them to be audited but he neuer came, the Court hath therefore ordered that he shalbe perremptorily warned to be present at the next Court for Virginia to exhibite his Accounts.

The Aduenturers of the glasseworke desired that they might haue a Patent prepared against the next Quarter Court conteyninge a graunt of such land^e as shall become due vnto them aswell for transport of p^{er}sons as for the aduenture of their ioynt Stocke in that buissines w^{ch} request the Court assented vnto.

M^r Barbo^r hauinge had his Account^e touchinge the runinge Lotteries examined and approued by the Auditors and lying here at sundrie times in open Court to be seen whereat forsomuch as noe exception

was taken he therefore praid he might accordinge to iustice and equity haue his Quietus est vnder the Legall Seale of the Companie w^{ch} request in respect m^r Barbo^r had Deliuered vpon his corporall oath so iust and faithfull Account: and had an authentickall Certificates to shewe from the Magistrat^e and other of principall qualey of the places where he had bin employed of the true and honest carriage of that buissines whereby he had honoured both the Companie and Ac^con it selfe The Court did willingly assent therevnto and caused his quietus est nowe presented in Court to be read and hauing approued thereof ordered the Seale to be affixed therevnto.

S^r Edwin Sandys beinge respited till this Quarter Court to exhibite the remayne of his Account^e did nowe declare that at his last beinge in the Country he was not able to finde out such writing^e as did concerne his said Account^e by reason all his papers had bin confusedly cast together and quite out of order, he therefore moued for some longer time for the pfectinge of them, and in the meane while he desired no quietus est neither for this last nor his former Account^e w^{ch} had bin audited and allowed of wherevpon the Court graunted him his owne time to exhibite the same.

M^r Deputy likewise presented his Account to be audited whensoever the Auditors would please to appointe. [319]

Whereas the Companie ~~for Virginia~~ by a former order of Court made staye of 44^{li} vpon Capt: Weldens Tobacco out of 1200 waight he brought home this last Sommer vpon his owne Account in respect he stood charged for so much due vnto the Companie for his first settinge out whome he was to haue serued seauen yeares according to his couenant^e, contrary to w^{ch} he was nowe come home wthout any direc^con at all from the Companie and beside had as yet yealded no Account of one penny proffitt^e of Their Tenant^e labo^{rs} for these two last yeares for w^{ch} respect he had also sealed a bond to the Gouvernor to answeare whatsoever the Companie could charge him withall, as also to make his returne or send a sufficient man in his place: W^{ch} Obiecc^ons the said Captaine Welden seemed to excuse with this answeare: That touchinge the first he conceaued himselfe to be dis-

charged by the Companies appointing of m^r Thorp Deputy ouer the Colledge lande: And for the second he saith the Tenant^e made him beleieue they were not to paye any thinge for the first yeare, but if the Companie did require it of them they would be accountable for it: And as for the Tobacco he nowe brought home he saith, he partly bought it with prouision of Apparrell and other Comodities he carried thither with him and partly gott it by his labo^r and good Husbandrie, and therefore praied the Companie would please to remitt vnto him the said 44^{li} staid vpon his Tobacco as afore said: But the Court conceauing this tolleraçon might proue an ill President vnto other their Officers sett out at their charge, and this money beinge also the Colledge Stocke that sett him out w^{ch} they haue noe power to giue awaye, but are to make good and to be accoūtable they therefore thought fitt to recoṁend the further consideraçon hereof to the Coṁ- ittee appointed for the Colledge who are entreated to examine the equity of Capt: Weldens case, and takinge into consideraçon his Demaünd and to certifie their opinions what they thinke fitt to be donne therein.

The Comittee for the Colledge appointed i4 Iunij 24 i619 are these

S ^r Edwin Sandys.	S ^r Io: Worstham. ¹
S ^r Io: Dauers.	m ^r Dept: ffarrar.
S ^r Dudley Digge.	Do ^r Anthony.
S ^r Nat: Rich.	Do ^r Gulstone.

One Captaine Hazell came and presented in open Court a Certificate in the name of Captaine Iohn Martin w^{ch} he desired might be read the Coppie whereof is here inserted vizt. [320]

The Certificate of Diuers of the Right Honor^{ble}: of his Ma^{ties}: most Hono^{ble}: priuy Counsell and others the Right Hono^{ble} and Right Wor^{thie}: his Ma^{ties}: Counsell and Company for Virginia.²

Wheras Cap^t: §Io§ Martin Esq^r: (hauinge been a longe and faithfull ser^vnt in the Southerne Colony for Virginia from the first begininge of y^e Christiann

¹ Wolstenholme. For the list of those appointed on this committee, see above, p. 231.

² This entire certificate is in the handwriting of Thomas Collett(?).

Plantacon vntill this day) hath requested a Certificate and testimony of his demeano^r and Carridge in all things according to our knowledge or otherwise, w^{ch} honest & reasonable requeste wee are willinge to sattisfie and Certifie accordinge to truth.

Wee doe hereby know and certifie y^t by the generall Consent of his Ma^{ties}: first Counsell of Virginia here settled in England by his Ma^{ties} royall order and Commission in the face of the publique and open Court assembled and mett together that the said Cap^t In^o Martin was elected chosen and sworne one of his Ma^{ties}: first Councill of Virginia.

Wee know also y^t sh^{ing} the saide Hono^{ry}: and open Courte wth y^e free and full consent therof hee was thought fitt, chosen and sworne to be M^r of the Ordinance in Virginia.

Wee doe further Certifie and approue y^t notwithststandinge his first Adventure (w^{ch} was verie laudable and good) hee hath ever since to his great charge continued all manner of supplem^{ts} and necessities of his vttmost power and habilitie whatsoeuer And y^t also hee hath constantlie and very worthyly endured all the misery and great calamytie of fore passed times wth the losse of his owne blood and the death of his onely sonne the hope and Comforte of his age. Sicknes Famyne & many other vnexpressed hard and miserable endurances.

And hath also pvidently and very Carefully endeavored all the benifitts and good vnto the Plantacon even to y^e vttmost of his habillitie and power and in all things ypholdinge and lauboringe to mainteyne wth equall Iustice & clemencie all his Ma^{ties} Lawes p^rogatives and rights what soeuer ffor w^{ch} respects and for his honest and worthy services allredy done and hereafter to be done for the encourragment of himselfe and others y^t may succeed: Wee y^e Company and Counsell for his Ma^{ties}: here resydent have heretofore graunted him sundry pryveledges, by Charter vnder our great Seale for the setlinge of a pryvate Plantation vppon his owne allottment of Land in Virginia wherin hee hath pceeded wth a great deale of charg and expence for w^{ch} wee see and know no reason to the Contrary butt y^t hee should and may enioy y^e same accordinge to the true entent and meaninge of this graunt: In wittness wherof wee have here vnto subscribed our ~~hands~~ names

Pembroak.
Ro: Warwick.
Leicester.
Mountgomery.
Sheiffelde.
Ro: Mansell.

Tho: Smith.
Fra: West.
W^m S^{tt} Iohn.
Ro: Iohnson.
Samuell Argoll.
W^m Caninge.

This Certificate beinge read the Court thought fitt to referr it to the former Cõmittee and some others nowe added vnto them vizt

The former Cõmittees were these

m ^r Herbert.	m ^r Brooks.
m ^r Earle.	m ^r Gibbs.
m ^r Iermyn.	m ^r Wrote.

Wherevnto were nowe added

S ^r Edwin Sandys.	m ^r Copland.
S ^r Io: Dāuers.	m ^r Rogers.
m ^r Wroth.	m ^r Baynham.
m ^r Balmeford.	m ^r Barbo ^r .

who are to examine the seuerall pointē of his said Certificate and for the better satisfac̃on of the Lorde whome Capt Martin had misinformēd that they would please to take some paines to make a Declarac̃on of the Defectē of his Patent and pticularly sett downe the iust exceptions that are taken thereat and thereof to make report.

M^r Deputy signified that the Rolls of Subscription for the mayde ffurrs and Shippwrightē were yet §open &§ left free for any man to vnderwrite & that the later were nowe goinge to performe that worke w^{ch} carried with it both hono^r and proffitt: the Director of that buissines being a verie expert Artist and able to giue good Direc̃ons for fortificãons.

AT A COURT HELD FOR VIRGINIA ON
WEDENSDAY THE 13TH OF FEBRUAR: 1621

||PRESENT||

S ^r Edwin Sandys.	m ^r Bull.	m ^r Mellinge.
m ^r Bulkly.	m ^r Barbo ^r .	m ^r Edwards.
m ^r Deputy.	m ^r Rogers.	m ^r Darnelly.
m ^r Wroth.	m ^r Widdowes.	m ^r Barker.
m ^r Gibbs.	m ^r Baynham.	m ^r Caswell.
m ^r Shippard.	m ^r Iadwin.	m ^r Webbs.
m ^r Nicho: ffarrar	m ^r Welden.	m ^r Woodhowse.
m ^r Seward.	m ^r Cuffe.	m ^r Willis.
§m ^r Copland.§	m ^r Copeland.	m ^r Balmeford.

The preceident Quarter Court beinge read a request was made in the behalfe of ffraunc Harwell that for somuch as his Elder Brother §S^r§ Edmund Harwell K^t of y^e Bath had assigned vnto him vnder his hand & Seale all the interest he had to three Shares of land in Virginia descended to the said S^r Edmund by the decease of S^r Tho: Harwell their younger brother who aduentured 37^{li} 10^s towards the aduancem^t of the Plantacon as doth [322] appeare: the Court would therefore please to confirme the said shares vnto the ||sd|| ffrauncis Harwell ||wherevpon the booke being searched and S^r Tho: Harwell the Aduenturer|| beinge found indebted 25^{li} vnto the Company vpon S^r Edward Conways vnderwritinge for him to the fourth Roll, some Doubt was made whither those shares might be per^mitted to passe before the said Debt was cleared after some dispute therevpon, it was resolved that S^r Thomas Harwell could not in equity be charged with that w^{ch} another man for him had vnderwritten, and an instance was giuen of the verie like case allowed of by the Auditors and the Debt remitted wth w^{ch} reason and president the Court beinge well satisfied and the said

three Shares therevpon put to the question were by a general erec^on of hande confirmed vnto the said ffrauncis Harwell: In w^{ch} shares one m^r Kellham hauinge an interest likewise from the said S^r Thomas Harwell did nowe acknowledg in open Court his full assent vnto the passinge of them vnto the said ffrauncis Harwell w^{ch} acknowledge-ment he did likewise testifie vnder his hand and Seale vpon the foote of the said Assignement.

A request was also made that whereas S^r Richard Bulkly late of Bewmarris in the County of Anglice deceased paid to the right Hono^{ble} Ea: of Southampton in Ianuary last i620, the Summe of 25^{li} for his Aduenture towarde the Planta^on in Virginia, that forsomuch as the said S^r Richard Bulkly did alwayes intend the said Aduenture to and for the behoufe of m^r Thomas Bulkly his second Sonne (as was testified by good Wittnesses) that therefore the Court would please vpon surrender of the former Graunt (w^{ch} was nowe exhibited) to confirme the like vnto the said Thomas Bulkly in his owne name, who is resolved to proceed in that Planta^on w^{ch} the said S^r Richard his ffather had vndertaken as might appeare by the Patent graunted vnto him heretofore by the Comp^a who by a former order of Court had appointed him Elizabeth Iland to plant vpon.

The Court conceaued the request to be verie reasonable and beinge put to the question assented therevnto and ordered the said graunt ||to be sealed|| wth the Counsellis Seale.

Whereas at a great and generall Quarter Court held for Virginia the 13th of Nouember i620 it was ordered that an addi^on of 68^{li} 7^s 3^d should be allowed in shares of land vnto Elizabeth Berkley widdowe w^{ch} came to fife shares and a halfe after 12^{li} 10^s p share w^{ch} wth the [323] Remaine of 331^{li} 12^s 9^d then ordered to be paid her in money was to make vp the iust Some of 400^{li} beinge a Debt longe before due vnto George Berkley her Husband deceased for the freight of Shippes and transporte of men prouisions and Cattle to Virginia as by the leger and iournall Booke of Accounte examined by the Auditors and by an Account vnder diuers Comittees hande doth appeare w^{ch} shares of land beinge nowe put to the question were confirmed vnto the said

Elizabeth Berkly and the Graunt thereof beinge likewise presented and read was well approued of and ordered to be sealed withe the Counsellis Seale accordinge to the order of the former Quarter Court.

Whereas S^r ffrancis Iones k^t assigned vnder his hand and Seale all his interest vnto three shares of land in Virginia vnto S^r Iohn Wolstenholme as by his said Assignement Dated primo October i621 allowed by the Auditors may appeare, Nowe the said S^r Iohn Wolstenholme hauinge in like sort by his ||sd|| Assignem^t giuen and graunted the said shares vnto Iohn Harrison his Servant, did nowe moue they might accordingly passe the approbaçon of this Court Wherevpon the said 3 Shares beinge put to the question were confirmed vnto the said Iohn Harrison.

Touchinge the Complaint of m^r Anthony Ireby against one that had vnderhand (as he saith) sought to depriue him of his interest in two shares of land in Virginia, it was informed by m^r Carter the Officer that the said Anthony Ireby had two yeares since in open Court passed away his said shares vnto one Martin Earle who had likewise sold the same vnto others wth the approbaçon of the Court Wherevpon m^r Carter was appointed to signifie so much vnto the said Ireby that he might be satisfied without farther Complaint. [324]

M^r Deputy acquainted the Court that one m^r Io: Clarke beinge taken from Virginia longe since by a Spanish Shippe that come to discouer that Plantaçon by whome he was carried to Spayne and there deteyned fower yeares thinkinge to haue made him an instrument to betray that Plantaçon, That for somuch as he hath since that time donn the Companie good seruice in many voyages to Virginia and of late went into Ireland for transportaçon of Cattle to Virginia he was an humble Suito^r to this Court that he might be admitted a free Brother of the Companie and haue some shares of land bestowed vpon him, w^{ch} request the Court taking into consideraçon haue been pleased first to graunt him his freedome and haue also thought fitt that two shares of land old Aduenture be giuen him as a free guift of the Company w^{ch} they haue reco^mended to the next Quarter Court for confirmaçon.

William Willis peticoninge for some consideraçon to be giuen him in respect that part of the charge of transportinge men for the Companies vse by Cap^t Lawne deceased remayneth yet vnsatisfied (as he pretendeth) the Companie not knowing of any such arrearage to be behinde vnpaide thought fitt to referr the examinaçon hereof to the Auditors before whome he is to make the said Debt appeare and to produce his proufes who therevpon are to certifie the Court the equity of his petiçon.

Anthony Bullocke and W^m Browne in their petiçon complained that one m^r Robert Barker a member of this Companie hauinge bought of S^r Amias Preston deceased the one halfe of his Aduenture beinge 50^{li} doth doth nowe suppress and deteyne these writings that should manifest their right to the other halfe of the said Aduenture beinge 50^{li} more w^{ch} they purchased of the widdowe of the said S^r Amias Preston, clayminge thereby the whole Aduenture to himselfe Wherevnto m^r Barker beinge present made aunsweare that [325] he had lawfully purchased the said Aduenture w^{ch} he would proue by those writinge he had to shewe, Wherevpon the Court willed him to produce his euidence against the next Court to cleare the question that the Petiçoners might haue no farther cause to complaine.

M^r Copland moued that whereas it was ordered by the last Quarter Court that an Vsher should be sent to Virginia with the first conueniency to instruct the Children in the free schoole there intended to be erected, that for somuch as there was nowe a verie good Scholler whome he well knewe and had good testimony for his sufficiency and ||in|| learninge and good carriage who offered himselfe to goe for the pformance of this seruice he therefore thought good to acquaint the Court therewith and so leaue it to their better iudgement & consideraçon wherevpon the Court appointed a Co^mittee to treat with the said Party. vizt

m ^r Gibbs.	m ^r Copland.
m ^r Wroth.	m ^r Balmford.
m ^r Wrote.	m ^r Roberte.

who are to ioyne herein with the rest of the Co^mittee and to meet about it vpon Monday next in the morninge about eight at m^r Deputyes and thereof to make report ~~vpon~~.

Vpon readinge the order of the former Court touchinge Captaine William Weldens vndue p^rformance of the trust reposed in him by the Company in breach of the Contract made wth them, he beinge nowe present, moued, that forsomuch as he could not get the Co^mittee (vnto whome this buissines was formerly referred) to meete nor could staye any longer in Towne beinge to proceed vpon other voyadges that this Court would therefore please to take this buissines into their considera^on and finally order it, & therevpon presented a writinge vnto the Court w^{ch} seemed to be framed in iustifica^on of himselfe and of what he had Donne offeringe to proue whatsoeuer he had therein sett downe. [326] Wherevpon it beinge read and his reasons particularly examined, it was found and so adiudged by the Court to be verie false and scandalous in many thinge as may appeare by the Aunswares made vnto each seuerall obiection w^{ch} were these that followe.¹

To his first obiection touchinge a promise of a supplie of 50 men more (the Springe y^meadiatly after his first settinge out) and that vpon the same termes as those formerly sent wth him, w^{ch} though it was not expressed in his Contract yet he said it was promised by S^r Edwin Sandys then Treasurer in his conference wth him. It was Denied and signified by S^r Edwin Sandys that he neuer made any such promise, and that what he spake was but onely a Declaration of a purpose and intent of fauo^r toward^e him for his better encouragement in that Ac^on in case sufficient meanes came in and that he carried himselfe well whereby to deserue it of the Companie.

To his second Obiection that he was promised 3 Shares of land to be sett out for him, w^{ch} the Gouvernor denyed to do in respect he had no such order from the Companie, for somuch as they remembered no such promise they referred him for this to his Contract w^{ch} he beinge willed to shewe said he had lost it.

¹ A letter of complaint from Weldon to Sir Edwin Sandys is referred to in List of Records, No. 166, page 139, *ante*.

To the Third obiection that he was to serue the Companie but for 3 yeares it was euidently proued by his Contract vnder his hand and Seale that he was to serue them for seauen yeares.

To the fourth obiection that the ~~Companie~~ proportion of victuall allowed for his men for 12 moneths was not sufficient to mayntaine them for 4 moneths and therevpon was forced to depart wth 30 of them to serue other Maisters, It was proued by the Invoices of that voyage nowe produced and read that they had allowed for each man a pound of meate a daye w^{ch} was as much as vsually they graunt to any other: And to part wth his men was imputed to his weakenes and much offended the Company when they first heard of it and caused them to [327] giue present order that they might forthwith be restored: And it was further signified that if there had bin any iust cause of want of prouision the Companie ~~the Companie~~ vpon the first notice could easily haue furnished them.

To the fift that in stead of faire and fertill ground~~e~~ ||w^{ch}|| he was promised, he was seated in the most barren places of the Country: It was signified that the place appointed him was farr otherwise beinge chosen out by S^r Thomas Dale himselfe and affirmed vnto them to be the best and fruitfullest Soyle, and if he were elsewhere seated then he was appointed or had betaken himselfe to a worse place and afterwards againe remoued by Captaine ~~Mathews~~ ||Mathews|| as he pretended the fault was his owne and not the Companies nor had they euer notice of it till nowe.

To the 6^o Obiection that two gentlemen (whose passage he was to haue free with liberty to goe and returne at their pleasure) were deteyned in Virginia by the Gouvernor 3 Monethes against their wills, & could not be released but vpon vnreasonable condiçons It was denied that euer such liberty to goe and come at pleasure was granted either to him, or those other two transported at the Companies charge who therevpon went as Servant~~e~~ there to remayne: And further that it was giuen out he had taken money of one of those men for their passage thither, notwithstandinge the Companie had freely giuen it him.

To the 7^o that in stead of Gouvernor and Comaunder he was made a Baylie and put to so meane and poore allowance as it would in short time haue starued him: It was aunswearred that m^r Thorpe was onely appointed Deputy of the Colledge lande, and that it could not but appeare vnto him by their Direccons that the Deputies place and office was no Diminucon either to his title or allowance no more then the Deputy of the Companies land was vnto the Captaines there, w^{ch} was nothinge at all.

To the 8^o: that whereas he said that diuers of this Companie protested that m^r Deputy ffarrar did promise them they should enioye the profit of their first yeares labo^r wthout paying any thinge to the Colledge: It was Denied by m^r Deputy that euer he made any such promise it beinge contrary to the Contract made with him vnder their hande, as also contrary to the report [328] of S^r Geo: Yeardley the Gouvernor and m^r Thorpes Letters (w^{ch} were nowe produced and openly read in Court) who affirmed that Capt: Welden did testifie it vnto them; But to salue this Capt: Welden saith that the Gouvernor hath taken order that the Tenant should haue the fruit of their labo^r for that first yeare, but vntill the Companies pleasure were knowne, and in case the Companie should Demaund it they should make it good out of their next Croppe.

Lastly he said that forsomuch as all that 900 waight of Tobacco he brought home vpon his owne Account (except C waight of m^r Bucks for w^{ch} he is to send him returnes) he bought with that apparrell lynnen beddinge brasse and houshold stuffe of good value he carried with him & sold there at reasonable rate as also in comisseracon & recompense of his paines and trouble in their seruice that therefore the Companie would please to remitt him the 44^{li} staid vpon his Tobacco by a former order of Court (whereof 40 markes was giuen him to furnish him out and the rest allowed him for the passage of himselfe and two men) Wherevpon Captaine Welden beinge willed to withdrawe himselfe the Court tooke the premisses into their consideration and obseruinge duely what the Gouverno^r had writt concerninge him, signifyinge he had giuen no ||good|| Account of his place

and that some suspīcōn there was that the Companies good℄ in his charge were not well accounted, for w^{ch} cause before his cominge awaye he had giuen bond of 1000^{li} to satisfie the Companie here, And further it beinge considered also that they must be at great charg℄ to send another in his place and that this money was the sacred Treasure of the Colledge for w^{ch} the Companie are to be accountable, his Demaund herevpon beinge put to the question was by erecōn of hand℄ denied. Then Captaine Welden beinge called in againe and the sentence of the Court deliuered vnto him after some pause he did earnestly entreat the Court to doe him the fauo^r to deliuer him his bond of 1000^{li} and to bestowe vpon him xj^{li} for w^{ch} he stood endebted to m^r Swaine the Companies ffacto^r at Middleburrough, acknowledg- inge further that he did submitt himselfe vnto the Companies censure And for that most of the Court were nowe risen he besought m^r Deputy to moue his request to the Companie at the next Court and he should acknowledge himselfe much bound vnto him for it, he beinge resolved to go againe to Virginia wth a Plantation of his owne & some freind℄ of his. [329]

ffrauncis Carter passed ouer two shares of land in Virginia vnto S^r ffrauncis Goodwin of Oburne in the County of Bucke knight pcell of the 40 shares assigned vnto him by the right Hono^{ble} the Lady Lawarr.

Also one share of land in Virginia vnto m^r Oliuer Morden of ¹ in the County of Suff gent.

¹ A blank space in the manuscript.

A VIRGINIA COURT HELD ON
WEDENSDAY 27TH OF FEBRUARY 1621

PRESENT

S ^r Edwin Sandys.	m ^r Shippard.	m ^r Copeland.
S ^r Io: Dauers.	m ^r Ro: Smith.	m ^r Nicho: ffarrar.
m ^r Io: ffarrar.	Capt: Tucker.	m ^r Paulavicine.
m ^r Gibbs.	m ^r Mellinge.	m ^r Bull.
m ^r Wrote.	m ^r Meuerell.	m ^r Iermynn.
m ^r Tomlins.	m ^r Hart.	m ^r Scott.
m ^r Kightley.	m ^r Balmeford.	m ^r ffaucett.
m ^r Wheatley.	m ^r Sparrowe.	m ^r Baynham.
m ^r Caswell.	m ^r Widdowes.	m ^r Stocke.
m ^r Barbo ^r .	m ^r ffelgate.	m ^r Kelly.
m ^r Roberts.	m ^r Binge.	m ^r Lawr Ley.
m ^r Newport.	m ^r Budge.	Capt: Bargraue.
	m ^r Harris.	m ^r Kenaston.
	m ^r Webbe.	m ^r Iadwin.

M^r Deputy acquainted the Companie that worde was brought him ~~the~~ that the Marmaduke was returned from Virginia and was nowe in Ireland, and that although the Letters shee brought were not as yet come to his hande, yet he had receaued good newes by Captaine Rayden¹ owner of the said Shippe beinge aduertized by his mans letter of the safe arriuall in Virginia of eight of their Shipps that sett out this last Sum^{er} w^{ch} brought all their Passengers thither in good health not one dyinge either by Sea or land, and that whereas the Tiger in her passage beinge driuen by ill weather to farr the north Cape fell into the hande of Turke in her waye but it pleased God to deliuer her out

¹ Written over the word "Rayner" by the copyist.

of their hande by a straunge accident, So as shee escaped that danger and came safely with her people to Virginia and that they wanted only the Sea fflower wherein Capt: Hamer went w^{ch} they expected would be there wth in a few Days after the coming away of this Shippe.

And further it was certified that they ~~had~~ found the people in Virginia all in good health and that m^r Delbridges Shippe was there also well arriued with many good Comodities from the Sum^r Ilande for w^{ch} extraordinary blessing the whole Court gaue all possible praise & thank^e vnto God and were much comforted at so ioyfull & welcome newes. [330]

The order of the former Court touchinge Captaine Welden beinge read m^r Deputy signified that ~~th~~ at the risinge of the said Co^rt Capt: Welden entreated him to moue the Companie at their next meetinge that they would be pleased to deliuer vp his Bond of 1000^{li} and to remitt him the 11^{li} he stood indebted to m^r Swayne the Companies ffactor w^{ch} he lent him at Midleburrough w^{ch} request he praid the Court to take into their considera^on and to giue him aunswear: Wherevpon the matter beinge a longe time debated, it was at length put to the question, first for givinge vp of his Bond w^{ch} was by erec^on of hande agreed vnto in respect he was nowe come home and out of the Companies seruice: And further it beinge also put to the question whither the 11^{li} Debt should be remitted vnto him in mercie and fauor toward^e him, it was by a generall erec^on of hande denied, in respect the said money was part of the Colledge Stocke, and that the Companie was to be at a further charge to furnish out another in his roome.

The Co^mmittees report touchinge the allowance graunted vnto the Vssher of the ffree Schoole intended in Virginia beinge read m^r Copland signified that the said Vsher havinge lately imparted his minde vnto him seemed vnwillinge to goe as Vsher or with any lesse title then m^r of the said Schoole and to be also assured of that allowance that is intended to be appropriated to the m^r for his proper mayntenance, but it was aunswear^d they might ||not|| swarue from the order of the Quarter Court w^{ch} did appoint the Vsher to be first estab-

lished for the better aduancem^t of w^{ch} Ac^con diuers had vnderwritten to a Roll for that purpose Drawne w^{ch} did already arise to a good Some of money, and was like Daylie to encrease by reason of mens affec^cons to forward so good a worke: In w^{ch} respect many sufficient Schollers did now offer themselues to goe vpon the same condi^cons as had bin proposed to this Party, yet in fauo^r of him for somuch as he was spea- cially recomended by m^r Copland whome the Companie do much respect the Court is pleased to giue him some time to consider of it between this and the next Court desiringe then to know his direct aunsweare whither he will accept of the place of Vsher as had bin offered vnto him And if he shall [331] accept thereof then the Court haue entreated

m^r Balmeford.
m^r Copeland.
m^r Caswell.
m^r Mellinge.

to conferr with him about the methode of teachinge and the book[℥] he intends to instruct Children by.

Augustine Bullocke and W^m Browne complaininge by peti^con against Robert Barker a Member of this Companie for keepinge backe those writing[℥] w^{ch} should manifest their right to the moyitie of S^r Amias Prestons aduenture beinge 50^{li} fforsomuch as both sid[℥] haue agreed to submitt the cause in difference between them to be heard and ordered by this Court for the more speedy endinge of the said Differences the Court hath referred ~~th~~ it to a Comittee to comprmise the same between them, if they can, ~~or~~ otherwise to certifie to the next Court their opinions what they shall thinke fitt to be donne therein vizt

m^r Wrote.
m^r Tomlins.
m^r Iermynn.

who are entreatreated to meet at m^r Iermyns Chamber in the Temple on ffriday next about two in the Afternoone.

M^r Nicho: ffarrar moued that for somuch as his Account℥ for the ffurr buissines were nowe made vp that the Aduenturers of that priuate Companie would please to appoint some to examine and audite the said Account℥: Wherevpon the Court nominated

m^r Bull ||m^r Moorer||.
 m^r Caswell ||m^r Palmer||.
 m^r Barbo^r.

to meete vpon Satturday the second of March next in the morninge.

Vpon the humble petiçon of Elizabeth Smalley widdowe the Court haue bin pleased to graunt her a Comission to enquire of the good℥ of Capt: Robert Smalley her Husband deceased and that it shalbe recomended to the Gouverno^r to take care that right be Donne her accordinge to equity and good conscience. [332]

The Petiçon of Robert Limpanie being taken into consideraçon the Court therevpon ordered that it should be recomended to the Gouvernor that if in case it shall appeare that neither Abraham Peirce nor his wife haue bin ||at|| any charge for the settinge out of the Peticoners Soñe as he informed that then the said Peirce be not pmitted to take any aduantage of his Sonnes Indenture but be caused to deliuer it vp, and that vpton also (Peirces servant) be caused to restore his Sonns good℥ at his cominge ouer, w^{ch} Vpton tooke away from him when he rañ away and carried them ouer wth him to Virginia.

M^r Hiddlebrand Preiwsen assigned ouer one share of land to Thomas Pemble, w^{ch} being allowed by the Auditors passed the approbaçon of this Court.

M^r Edward ffaucet in like manner passed three shares of land to m^r Nicholas ffarrar.

M^r Scott with like approbaçon and allowance of the Court passed 3 shares to m^r Patrick Copland.

Whereas it was moued that Henry Mansell hath by his Petition to my Lo: Keeper declared that this Comp^a were indebted vnto him in 60^{li} aboue these 6 yeares in S^r Thomas Smiths time and yet it did noe waye appeare, and that m^r Caninge pretended that this Comp^a were likewise indebted vnto him but for somuch as the said m^r Caninge had receaued diuers Somes of money out of the Virginia Cash, others by Subscription and Lottery bookes; It was therefore ordered that against the next Court the said m^r Caninge and Mansell should be warned to bringe in their Account^e, and that Mansell should declare vnto that Court whither he be free or not, because m^r Woodall had verified somuch vpon oath, as was then alledged.

Vpon the humble request of W^m Capps the Court ordered a Certificate to be drawne vp by the Secr^e to testifie the good esteeme it had of him aswell in the Colony in Virginia as of the Companie here, as may appeare by the rewards of his good seruice vnto them, As also ||of|| what ability ||he|| is reported to be there in respect of y^e great Supplies he hath sent thither w^{ch} Certificate the Secretary is appointed to wittnesse in the name of the Companie. [333]

Whereas the last Quarter Court thought fitt to enlarge the former Co^mittee with an addi^{ti}on of some other gentlemen to examine the Certificate of Captaine Martin presented at the said Court by one Captaine Hazell and therevnto to frame some aunsweare for the better informa^{ti}on of those Lord^e (whose hand^e he had procured vnto the said Certificate) It was nowe moued that for somuch as the said Co^mittee had not yet mett about it by reason of much other buissines as also for that Capt Martin had excepted against and not spared to traduce some of the said Co^mittee, notwithstandinge they proceeded with as much respect and fauo^r toward^e him as in reason could be required that therefore it would please the Court to take this buissines againe into their ||owne|| hand^e and Debate the same in the presence of this generall Assembly.

Wherevpon the Court caused the said Certificate to be read w^{ch} was in the name of the Counsell and Company for Virginia here resident

being as well in iustificacōn of Captaine Martins good Deser^t as also in approba^cōn of his Patent nowe questioned by the Companie w^{ch} Certificate beinge read they caused also his Patent to be deliberately read and examined and wth all those exceptions w^{ch} the former Co^mittee had collected vpon it, By all w^{ch} as also by the Court booke beinge searched it plainly appeared that the Patent was neuer confirmed by a Quarter Court but only had the approba^cōn of a priuate Court purposely called for that buissines only; It was therefore adiudged by the whole Court to be absolutely voide in lawe and of no validity Wherevpon after longe delibera^cōn it was aduised that for sauinge the reputa^cōn of the Companie whome Capt: Martin had apparently wronged, in vsinge of their names in the said Certificate as if they went about now to Disavowe their owne Act or that some of the Company in a kinde of fac^cōn or spleene toward^e him did seme to crosse the Act of the whole Companie and of his Ma^{ty}s Counsell for Virginia in whose name the said Certificate was framed to the infinite wronge of the whole body.

ffor auoydinge of w^{ch} fowle asper^cōn and the ill construc^cōns that might be made thereof, Herevpon it was agreed and ordered that a convenient Declara^cōn should be drawne vp consisting of these fower head^e. [334]

1. That whereas they are constrained and ly^mited by his Ma^{ty}s Letters Patents to fower great and generall Quarter Court^e for passinge of all Patent^e of waight and Disposinge of land in Virginia That contrary herevnto Captaine Martin presented both ~~this~~ ||this|| his Patents for land and his other Patent for the Masterpp: of the ordinance ready engrossed and wthout the preexamina^cōn of a Co^mittee to the approba^cōn of an inferio^r Court w^{ch} had no power to graunt any Patents where notwithstandinge it passed by the power of Captaine Martins frend^e to the Dislike of some then present and could neuer since that time obtaine the confirma^cōn of a Quarter Court.

2. To Declare such exceptions against his said Patent as did espeacially repugne aswell the Gouverment of the Colony in Virginia and the

authority of his Ma^{ty} Letters Patents as also the standing orders of the Companie fundamentally deriued and grounded vpon the said Letters Patents.

3. To Declare the ill effect^e w^{ch} haue followed those his exhorbitant priuiledges namely that herevpon Capt: Martin hath refused to submitt himselfe to the lawes and orders of the Colony in Virginia and hath made his Plantacon a receptacle of disordered persons where such as are indebted do shroud and rescue them selues vnder his proteccon w^{ch} was also viua voce testified in open Court whereof the Gouvern^r and Counsell of State there haue often and verie much complained.

Lastly that the Companie haue and do still offer to graunt him a newe Patent vpon surrender of his old, wth as large and ample priuiledges as they may or can graunt by his Ma^{ty} Letters Patent^e. [335]

Accordinge to these heads and what other addiçons shalbe thought necessarie the Court haue entreated

S^r Io Dāuers.
m^r Deputy.
m^r Iermyn.

m^r Wrote.
m^r Gibbs.
m^r Nich: ffarrar.

or any three of them to drawe vp a Declaracon and to meete about it to morrowe in the afternoone at m^r Deputies about two of the Clocke, if m^r Iermyn can then be present, but if not then to meet vpon friday morninge at m^r Iermyns Chamber in the Temple.

And it is further agreed and ordered that vpon the finishinge of the said Declaration a Court be warned to pervse and examine the same (and that Captaine Martin be then peremptorily warned to ||be|| present,) and after they haue approued thereof they thinke fitt that diuers Coppies be made of the said Declaration to present vnto the Lorde and others.

AT A COURT HELD FOR VIRGINIA
THE 13TH OF MARCH 1621

||PRESENT||

S^r Io: Dauers.
S^r Phil: Carey.
S^r Io: Wolstenholme.

m ^r Deputy ffarrar.	m ^r Wiseman.	m ^r Parker.
m ^r Gibbs.	m ^r Iadwin.	m ^r Newport.
m ^r Wrote.	m ^r Copland.	m ^r Swinhowe.
m ^r Ro: Smith.	m ^r Syward.	m ^r Baynham.
m ^r Kightley.	m ^r Meuerell.	m ^r Taytā.
m ^r Io: Smith.	m ^r Combs.	m ^r Kingston.
m ^r Shippard.	m ^r Mellinge.	m ^r Ma: Shippard.
m ^r Steward.	m ^r Barnard.	m ^r Hickford.
m ^r Binge.	m ^r Caswell.	m ^r Barkham.
m ^r Tomlins.	m ^r Weston.	m ^r Martin.
m ^r Scott.	m ^r Abr: Chamblen.	m ^r Widdowes.
m ^r Palmer.	m ^r Wynn.	m ^r Viner.
m ^r Bennett.	m ^r Robert℄.	m ^r Caninge.
m ^r Barbo ^r .	m ^r Whitly.	m ^r Dichfeild.
	m ^r Morewood.	
	m ^r Eldred.	
	m ^r Leuer.	
	m ^r Harrison.	
	m ^r Darnelly.	
	m ^r Bland.	
	m ^r Bolton.	
	Capt: Bargaue.	
	m ^r Edward℄.	
	m ^r Geo: Smith.	
	m ^r Raph ffogge.	
	with diuers others.	

Whereas m^r Deputy acquainted the former Court with that newes he had receaued by word of mouth of the safe arriual of eight of their shipps in Virginia wth all their people and prouisions, sett out this last Sum^r, he nowe signified the Generall Letter was come to his hand^e importinge as much as had bin formerly deliuered w^{ch} letter for more perticuler Rela^çons did referr to the Letters sent by the George w^{ch} he hoped they should shortly heare of. [336]

Vpon Declaration of the Companies thankefullnes vnto God for this ioyfull and welcome newes from Virginia a mo^çon was made that this acknowledgement of their thankefullnes might not onely be Donn in a priuate Court but published by some learned Minister in a Sermon to that ~~pub~~ purpose before a generall Assemblie of the Companie: w^{ch} mo^çon was well approued of and thought fitt to be taken into considera^çon vpon returne of the George, w^{ch} was Daylie expected when they hoped they should receaue more p^ticuler aduertisement touching their affaires in Virginia.

The appointed Comittee hauinge drawne vp a Declaration by waye of Aunswere vnto Captaine Martins Certificate and Patent the same was nowe presented in Courte and read. ||being this that followeth||

RIGHT HONORABLE

Wheras at a greate and Generall Quarter Courte for¹ Virginia held the xxxth of Ianuary last their was presented ||to|| the said Courte a Certificate on the behalfe of Cap^t: Ino: Martin in y^e name of y^e Counsell & Comp^a: for his Ma^{tie} here resident conteyninge a Declaration of his worth and services and therby reputinge him to be worthie to enioy the Patents and priueledges therin graunted vnto him subscribed by some Hono^{ble} personns and others: diuers of whome the Company conceainge not to be fully enformed of the truth of all passages in that buisines, have therefore thought itt their duty to give vnto them and p^ticularly vnto yo^r Lo^p: a true Accompt of y^e State and Carriage therof.

May it please yo^r Lo^p: therefore to be aduertised

That wheras the said Company are lymitted and dyrected by his Ma^{tie}es Patent^e to 4 great and generall quarter Courts onely for passinge of all

¹The words of this paragraph to this point are in the autograph of Nicholas Ferrar. What follows, to the end of the certificate, is in the handwriting of Nicholas Ferrar's assistant, referred to as Thomas Collett.

matters of greatest waight and p̄ticularly for disposinge of the land in Virginia ¶and¶ as beinge a fundam̄tall Lawe was notoriously knowne to all the Company & for further caution hath bine from time to time accordingly Declared to the Planters as an Ordinance from his Ma^{ty}: to be invyolably observed.

Contrarie here vnto ther was p̄sented att a pryvate inferio^r Courte 2 seuerall Patents ready engrossed (y^e Comp^a: not beinge afore acquainted wth them) the one Constitutinge the said Cap^t Martin M^r of the Ordinance the other conteyninge a Graunt of Land vnto him his heire executo^{rs} and assignes, By w^{ch} pryvate Courte called extraordinarie and as by y^e effect appeared for y^t onely buisness the said Patent was vnlawfully and vnduly passed notwthstandinge y^e dislike of divers then p̄sent but yett neuer had y^e Confirmaçon of a Quarter Courte.

Secondly the said Patent for Land doth conteyne an intended graunt of divers exorbitant pryveledges and transcendent liberties to Cap^t Martin apparantlie repugnant to iustice and the good Gouverment of the generall Graunt Plantaçon w^{ch} the Comp^a: by his Ma^{ties} f̄res Patents to them could not graunt as namely the exemption of ¶all¶ the people within his Lands from y^e Gouverm^t of the Gouverno^r and Counsell in Virginia and from all other services of the whole Colony there (except in case of Warr) and also a graunt of vnlymited ffishinge, And also y^e fifte pt of all rich Mynes, And to enioy all other Mynes found by him his heire or assignes and of Comon Martes to be erected att his pleasure & many other in generall indefinite liberties as appeareth in the said Patent; By collour of w^{ch} exorbitant Patent many great inconveniencies have followed to y^e Company & Colony. as in p̄ticularr Cap^t Martin^e refusall to submitt himselfe to ye Lawes and orders ¶of the Colony¶ in Virginia.

And y^t his Plantaçon is made a Receptacle & Harbo^r of disordered p̄sonns who subterfuge thither from ordinary Iustice, All w^{ch} & many other mischeefe have been often Complayned of by y^e Colony att their p̄ticularr and generall Assemblies and by y^e Gouverno^{rs} there and most greivously by Cap^t Argall himselfe then Gouverno^r by his letter to the Company, notwithstanding his owne subscripçon to Cap^t: Martins saide Certificate in approbaçon of the said Patent vppon w^{ch} f̄re an order was made in a great and generall Quarter Court in May 1618, and a Comittee appoynted to examine and reforme y^e said Patent there being p̄sent att y^t Court S^r Thomas Smith and m^r Alderman Iohnson then Trer and Deputy to this Company so y^t itt seemeth strange to y^e Comp^a: to finde their hand^e also to Cap^t: Martin^e Certificate contradicting the Act of y^t great Courte wherein themselvs were y^e principall directo^{rs}: Moreouer y^e said inconveniencies have been lately testified Viua Voce before y^e Company in open Courte. [337]

Lastly y^e Company have and doe allwaies offer to grant y^e said Captaine Martin (of any of whose good demeritts they should be glad to heare and cherish) vppon surrender of his former a new Patent of all his Land wth as large and ample pryveledges as any other hath w^{ch} fauour all butt himselfe have most willingly & thankfully accepted of.

The said Certificate of Cap^t: Iohn Martin was subscribed to with these names vizd

Pembroak.	Tho: Smith.
Ro: Warwick.	ffra: West.
Leicester.	W ^m : S ^{tt} Iohn.
Mountgomery.	Rob ^t Iohnson.
Sheffelde.	Samuell Argall.
Ro: Mansell.	W ^m Caning.

W^{ch} Declaration beinge read and some wordes¹ altered that might fitt it to the qualitie of those that were no lordē that had subscribed to the said Certificate and after put to the question was well approued of and order giuen to the Secretary to make diuers Copies thereof the Court entreatinge S^r Io: Dāuers and m^r Tomlins to deliuer vnto such Lordē as had subscribed therevnto a perticuler Coppie of the Companies aunsweares ~~as also~~ vnto the said Certificate as also vnto the M^{rs} of Requests w^{ch} they were pleased to vndertake and for the rest order was giuen to the Secretary to deliuer a Coppie to each of them.

Whereas the former Court appointed the Secretary to Drawe vp a Certificate in the behalfe of W^m Capps² in testimony of the Companies good esteeme of him and of his estate in Virginia and to wittnesse the same as the Act of the Companie it was nowe moued that for the better satisfacōn of some ||especiall|| frendē of the said Caps before whome he had bin wronged and impaired in his reputacōn that the Counsellē seale might also be affixed vnto the said writinge, wherevpon the Draught of a Certificate to this purpose beinge presented in Court and read and the forme thereof somewhat amended was after put to the question and ordered to be writt out and sealed as aforesaid.

¹ This word is written over "former."

² Written over the name Carver.

M^r Hall an Atturney havinge brought to the Court the Coppie of an order made by my Lord Keeper vpon hearinge of y^e cause and Difference between Capt: Bargaue plaintiffe and S^r Thomas Smith ||m^r|| Alderman Iohnson and others Defendant^e touchinge a bond of eight hundred pound^e in question and touchinge some wrongs and losses sustained by them ||sd plaintiff|| it was nowe moued and accordingly ordered that forsomuch as the said Decree was supposed to tend to the preiudice of the whole Companie whome it did not concerne in respect they were not but as priuate Aduenturers in the Magazine then [338] then sett out for Virginia together with the said Defendant^e that therefore it might be taken into consideraçon and referred to the examinaçon of a select Co^mittee Wherevpon it was desired that as many of the Magazine Aduenturers and so many likewise for the Companie as could be procured to come would please to meet about ~~one of the Clock on ffriday next~~ ||it vpon Thursday next|| in the Afternoone at m^r Deputies.

Order beinge giuen the last Court (as had bin often formerly) for the warninge of m^r Caninge and m^r Henry Mansell to bringe in their Account^e they were nowe called vpon two sundrie times, but neither of them appeared, wherevpon direcçon was nowe ||also|| giuen for the warninge of them to be present with their Account^e at the next Court.

The Court takinge into their consideraçon certaine proposiçons presented vnto them by m^r Copland in the behalfe of m^r Dike formerly co^mended for the Vshers place in the free Schoole intended at Charles Citty in Virginia they haue agreed in effect vnto his seuerall request^e namely that vpon certificate from the Gouvernor of Virginia of his sufficiency and Diligence in fra^minge vp of youth co^mitted to his charge he shalbe confirmed in the place of M^r of the said Schoole, Secondly that if he can procure an expert writer to goe ouer with him that can withall teach the ground^e of Arithmaticke whereby to instruct the Children in matters of Account, the Companie are contented to giue such a one his passage whose paines they doubt not,

but wilbe well rewarded by those whose Children shalbe taught by him, and for the allowance of 100 acres of land he desireth for his owne propper inheritance, it is agreed that after he hath serued out his time w^{ch} is to be fve yeares at least and longer duringe his owne pleasure he givinge a yeares warning vpon his remoue whereby another may be provided in his roome the Companie are pleased to graunt him 100 acres as before. It is also agreed he shalbe furnished with bookeℓ fitt for the Schoole for w^{ch} he is to be accountable, and for y^e Children the Companie haue likewise vndertaken to provide good store of bookeℓ fittinge for their Vse for w^{ch} their Parentℓ are to be aunswearable, lastly it is ordered that the agreem^t between him and the Companie shall accordinge ~~with~~ to his owne request be sett downe in writinge by waye of Articles indented. [339]

Vpon mo^{on} that whereas the Su^mer Ilandℓ Companie for the better informinge of Officers their Duty in their seuerall places aswell those of the Companie here as those also in the Su^mer Ilandℓ haue deuised many good and holesome lawes to the great satisfac^{on} both of the Aduenturers and Planters that therefore the like care and paynes might be taken for the better establishinge of good gouernment as well here as in Virginia, time and experience hath nowe sufficiently taught them the necessity of reforminge and supplyinge many Defectℓ both there and here, w^{ch} mo^{on} was well approued of, and because this waighty buissines was formerly taken into considera^{on} and Diuided into his partℓ and co^mended to the care of those Co^mittees the Court desired they might againe be put in mynde of their seuerall taskℓ and afterwardeℓ their labo^{rs}: beinge brought to the veiwe of this large Co^mittee nowe appointed by the Court, who are likewise to obserue and collect what bindinge orders haue bin made in Quarter Courtℓ or other inferio^r Courtℓ since the last printed publica^{on}, and havinge reduced the whole workeℓ into a Body of lawes might then be presented to ~~his~~ §the§ gracious §veiwe of his§ Ma^{ties} ~~veiwe~~ by whome beinge approued they might after passe the confirma^{on} of a Quarter Court.

The names of the Committees are these

S ^r Edwin Sandys.	m ^r Wroth.	m ^r Caswell.
S ^r Io: Wolstenholme.	m ^r Tomlins.	Capt: Bargraue.
S ^r Io: Dãuers.	m ^r Nicho: ffarrar.	Capt: Tucker.
m ^r Io: Smith.	m ^r Kightley.	m ^r Edwards.
m ^r Ro: Smith.	m ^r Iermynn.	or any five of them.
m ^r Gibbs.	m ^r Hackwell.	
m ^r Wrote.	m ^r Bennet.	

who are entreated to meete about this buissines vpon Tuseday in the Afternoone at m^r Deputies in the meane time m^r Wrote is desired to collect such orders as haue bin made since the last Publication w^{ch} are fitt to be reduced into lawes.

M^r Deputy signified that he had receaued of late certaine intelligence that m^r Gookins Shippe was arriued in Virginia with ~~two~~ § 40 § younge Cattle well and safely landed, he therefore moued that forasmuch as diuers others might be much encouraged vpon this good newes to transport Cattle out of Ireland thither vpon reasonable condiçons, that a Ire might be writt to m^r Gookin by way of offer ~~that if any~~ that if any should be pleased to vndertake the like performance they shall haue for euery Heifor safely deliuered in Virginia 100 waight of good marchantable Tobacco w^{ch} moçon was well approued of and order giuen for a letter to be drawne to y^t effect. . [340]

M^r Waterhowse presented his Account signifyinge of dyvers that beinge solicited had billē to shewe of moneyes paid to s^r Thomas Smith and his Servantē for w^{ch} notwithstandinge they stood still charged vpon the Ledger booke whereof they desired they might be discharged: Wherevpon the Court entreated the Auditors to meete euery Satturday to examine these ||said|| Accountē and to receaue such informaçon as shalbe giuen them from time to time touchinge those buissinesses.

The petiçon of Isabell Read beinge taken into consideraçon the Court hath ordered that shee shall repaire to Captaine Io: Martin to require his aunsweare touchinge his promise of satisfacçon for her goods that

he hath acknowledged came to his hands and which he hath since alienated and sold vnto others as shee made to appeare, and touchinge her other request for the howse and 100 acres of land w^{ch} Iames Read her husband deceased in Virginia enioyed in respect of y^e Aduenture of his person thither, and Died seized of them, the Court hath confirmed the same vnto her Daughter Ioane, accordinge to her desire beinge the next heire vnto her deceased father.

A request was ||made|| in the behalfe of Captaine Each M^r of the Abigaile, that forsomuch as he had donne the Companie good service, in transportinge of Passengers wherein his ~~case~~ ||care|| by the Gouvernors Certificate was much comended and acknowledged also by the Passengers themselues and forsomuch likewise as he is resolu'd at his owne charge to settle and plant diuers Inhabitants in Virginia and hath there already placed the number of fve persons intendinge yearely to send ouer more vnto them, for w^{ch} respect the Gouvernor had allotted him 500 acres of land vnder the Collonies Seale, His humble Suite therefore nowe is that the Companie would please to confirme the same vnto him vnder their legall Seale and that he might be admitted a free Brother of this Companie: w^{ch} request the Co^{rt} generally assented vnto, and recommendinge it vnto y^e Quarter Court for further confirmacon, when it is ~~also~~ thought that some proporcon of land be bestowed vpon him for his better encouragement herein.

ffrauncis Carter assigneth one share of land in Virginia vnto Phillip Wood of London gen^t with allowance & approbacon of this Court beinge parcell of the 40 shares assigned vnto him by the Right Hono^{ble} the Lady Lawarr.

Also he assigneth six shares of land in Virginia vnto m^r Thomas Mel-linge Cittizen and Ironmonger of London formerly belonginge to Capt Raph Hamer. [341]

he assigned also ~~one~~ ||two|| share of land from Captain Raph Hamer vnto m^r Henry Hutchinson Cittizen and Grocer of London these last §8§ shares beinge contained in one Bill of Aduenture.

AN EXTRAORDINARY COURT FOR VIRGINIA
HELD ON WEDENSDAY IN THE AFTERNOONE THE 20TH OF MARCH 1621

||PRESENT||

S ^r Io: Dauers.	m ^r Edwards.	m ^r Caswell.
m ^r Deputy ffarrar.	m ^r Wheatley.	m ^r Mellinge.
m ^r Gibbs.	m ^r Barbo ^r .	m ^r Dennis.
m ^r Wrote.	m ^r Balmford. ¹	m ^r Hacket.
m ^r Tomlins.	m ^r Seyward.	m ^r Cuffe.
m ^r Ro: Smith.	m ^r Baynham.	m ^r Geo: Smith.
m ^r Nicho: ffarrar.	m ^r Robert ^e .	with diuers others.
m ^r Binge.	m ^r Meuerell.	

A request was made in the behalfe of m^r Dennis M^r of y^e Marmaduke that whereas the Gouvernor of Virginia in respect of the good seruice he had donn the Companie by his carefull transporting of Passengers to and from Virginia had bin pleased to graunt him his freedome there that therefore the Companie would please to confirme the same vnto him w^{ch} request the Court takinge into consideraçon was pleased to ratifie vnto him, and whereas complaint was made that he had taken 20^{li} for the transport of three Passengers homeward w^{ch} was more by 40^s then their due passage comes vnto, he hath promised in open Court that the ouerplus money shalbe againe repaid them.

It was also thought fitt that caution should be giuen to y^e Gouvernor to be hereafter more carefull that he bestowe his freedome vpon none in this kinde but such as shall deserue extraordinary well by their care and good vsage of Passengers.

M^r Deputy acquainted the Court that hauinge receaued a Ire the 16 of this present Moneth from m^r Alder Iohnson with request that the

¹ Written over the word "Balmfold."

Virginia Court booke might be brought to S^r Thomas Smiths for y^e appointed Comissions to pervse those orders whereby Henry Mansell pretendeth he was imployed: he was aduised by some of the Counsell then present when that letter came to him to acquainte the Court first therewith in respect the Companies books were comitted to his trust & ought not to be pmitted to passe abroad wthout y^e priuity and allowance of a Court wherevpon havinge yesterday signified so much by letter to m^r Alderm: Iohnson he receaued another from him that night shewinge some dista[ste] that the books were not sent, in respect vpon the hearinge of Captai[ne] [342] Bargraues cause before my Lo: Keeper the Court books were carried as farr as Westminster touchinge w^{ch} m^r Deputy said he let m^r Alderman Iohnson knowe that the books were then sent vpon my Lord Keepers comādmēt for that the cause ~~then~~ in question did so require it the Court therevpon takinge this matter into their consideraçon did well approue of what m^r Deputy had Donne holdinge it vnfit the Records of the Companie should passe abroad wthout license of a Court And touchinge m^r Alderman Iohnsons request in the name of the rest of the Comissioners, the Court are willing to giue waye therevnto and hath ordered the Secretary to attend y^e Comissioners with the said Court booke at their next meetinge to be pervsed by them and after to bringe the ~~said booke~~ ||same backe|| againe, and for further caution hereafter it is ordered that neither the Court booke nor booke of Account nor the Kings Letters Patents to the Companie nor any other matter of Record whatsoever shalbe deliuered to any except principall Officers of the Companie without consent and lycense of the Court, and for that this order may the more duely be obserued and kept, it is referred to the former Comitteē to consider thereof that it may be made a lawe.

fforsomuch as m^r William Caninge hath bin often warned to bringe in his Account in respect his pretended claime of much money due vnto him from y^e Companie and yet hath refused hitherto to present them §It is therefore ordred he shall be once againe pemptorily warned to bringe them in§ wth intimaçon that if he faile hereof between this and the next Virginia Court the Companie are resolved otherwise to proceed against him in legall course to force him therevnto.

Herevpon intelligence was giuen that one m^r Smaleman a gent^l of heriford sheire had paid 25^{li} to m^r Caninge w^{ch} he neuer brought into the Companies Account^e whereby m^r Smalemans name was quite left out in the printed booke.

S^r Anthony Pell and the Lady Iudith his wife passed ouer two shares of land in Virginia vnto W^m Savill esquire beinge formerly aduentured by m^r Aldrān Rotheram and at his Decease bequeathed vnto the said Lady Iudith his then wife.

M^r Deputy signified that one m^r Leuison desired a Comission to transport Passengers to Virginia hauing formerly taken a Patent for settling ||to settle|| a pticuler Plantacon there, wherevpon y^e Court gaue order for drawinge vp of his Comission and for affixinge y^e Companies Seale therevnto. [343]

AT A COURT HELD FOR VIRGINIA ON WEDENSDAY THE 27th MARCH i622

PRESENT.

Right Hono ^{ble} Lo: Cauendish.	m ^r Io: Smith.
Lo: Padgett.	m ^r Ro: Smith.
S ^r Io: Dāuers.	m ^r Brooke.
S ^r Phi: Carey.	m ^r Hacket.
m ^r Deputy.	m ^r Nicho: ffarrar.
m ^r Wrote.	m ^r Barnard.
m ^r Gibbs.	m ^r Mole.

m^r Bland m^r Bull m^r Kightley m^r Caswell m^r Barbor m^r Balmefor[d]
 m^r Grace m^r Swinhowe m^r Baynham, m^r Widdowes m^r Iadwin m^r
 Benn[ett] m^r Viner m^r ffoxon m^r Wood, m^r Penistone m^r Scott m^r
 Kirby m^r Winch m^r Woodall m^r Stephens m^r Brudenell m^r Dar-
 nelly m^r Wheatley Capt: Tucker m^r Nicholls m^r Edward^e m^r ffelgate
 m^r New[port] m^r Leuer m^r Copeland m^r Roberts m^r Leigh.

M^r Deputy acquainted the Court that thanks be to God the George was now returned from Virginia and that he had receaved the Pacqu[et] of Ires sent by her w^{ch} he now presented to be read, wherevpon the[re] was first read the generall letter from the Gouvernor and Counsell of Virginia and after such priuate letters as came directed vnto the Counsell and Companie here wherein amongst other thinge they ga[ue] aduertisement that the Ironwork^e so longe and earnestly desired were nowe in a good forwardnes to be sett vp by the meanes of m^r Iohn Berkley who doubted not but to make Iron there by Whitsontyde, also of the great hopes they haue of Cotten woole i[n] respect the Trees there prosper so well, also of plenty of good wyne whereof the Vignerons had sent home a tast by this Shippe the Geor[ge] and further they certified that their hopes are nowe greater than euer [of] a flourishing Country in a short time with that rich Comodity of Silke in respect the ffrenchmen there do report the Mulbery Trees to be of the best kinde that are and do daylie encourage the people by their example to plant them in abundance, w^{ch} make them all desire that Store of Silkwormeseed be sent them with y^e first conveniency.

There was also now presented certaine proposiçons sent to y^e Compan[ie] by m^r Deputy Nuce for alteringe their present condiçon with their Tenant^e for the better improuement of the publique Revenue and aduancement of the generall Plantation, w^{ch} Proiect for that it contayned matter of speaciall importance more then was fitt to be disputed vpon for the present: The Court hath referred it to y^e Counsell for Virginia to take it into their consideraçon and to certifie their opin[ion] ||touching y^e same|| against the Quarter Court. [344]

Vpon the presentinge of a Certificate from the Gouvernor of ~~Go~~ Virginia of the safe arriual of the Warwicke there order was giuen for payment of the freight accordinge to the Contract made with the Owners w^{ch} was for payment wthin 14 dayes after sight.

M^r Bull Treasurer for the last Magazine sent to Virginia acquainted the Court that he had not receaved the full some of the Iointe Stocke vnderwritten in that Roll by 200^{li} by reason that some had not as yet

paid in their subscription: Wherevpon the Court and Aduenturers of the Magazine entreated m^r Deputy and m^r Nicholas ffarrar to take vp so much money and to become bound for it and that they should be secured by them to be repaid the same againe vpon the first returne together with the interest.

The Court beinge informed of a proposiçon desired to be presented to the veiwe of his Ma^{ty} Counsell for Virginia much concerninge the Plantation haue referred it accordingly to their consideraçon.

M^r Deputy signified of three Shippes sett out by priuate Aduenturers namely the furtherance the Iames the Margaret and Iohn that would be ready after Easter to sett Sayle for Virginia and therefore desired that such as had either Passeng^{rs} or good℥ to send thither would be pleased to giue speedy notice thereof, and further moued for order to drawe vp seuerall Commissions for the said Shippes w^{ch} the Court assented vnto authorizinge m^r Deputy to seale them.

Hee also moued for order for drawinge vp two seuerall Patent℥ for perticuler Plantaçons in Virginia, the one desired by m^r Robert Moston esqr vndertakinge to transport and plant 100 psons and the other by Capt Dan: Tucker a Brother of this Companie, w^{ch} the Court assented vnto.

Edmund Brudenell of Stoakemandauill in y^e County of Breck: esquire by his Assignem^t vnder his hand and Seale bearinge Date the 28th day of Aprill in the 12th yeare of the Kings Raigne of England C^r passed ouer to ffrauncis Brudenell his sonn his two Shares of land in Virginia due for the Aduenture of 25^{li} paid to S^r Tho: Smith then Trer for Virginia as by his Bill of Aduenture vnder the Companies Seale Dated the 28th of March may appeare (whose name notwithstandinge is left out in y^e Printed booke) w^{ch} assignem^t beinge allowed by the Auditors this present Court did ratifie and confirme. [345]

Vpon intelligence giuen of the want of Ministers in Virginia whome the Inhabitants there do verie much desire promisinge to allowe them good entertainment without charge to the Companie, M^r Deputy gaue notice of two or three that had binn with him and offered themselues

to goe vpon reasonable ||condicons|| wherevpon the Court referred them to the Comitte to be treated with.

ffrauncis Carter passed ouer 9 shares of land in Virginia parcell of the later 40 assigned vnto him by the right hono^{ble} the Lady Lewarr

To Henry Paulsted of London march taylor.....	3
To George Mole of London gent.....	2
To m ^r Io: Bowater of London Marchant.....	2
To m ^r Rich: Stephens of London painter stainer.....	1
To Rich: Markham of ¹ in y ^e County of Kent esqr.....	1

Also ||m^r|| Thomas Mellinge passed ouer two shares of land in Virginia parcell of 6: assigned vnto him from m^r Raph Hamer vnto m^r Robert Iefferies of London Haberdasher.

AN EXTRAORDINARY COURT HELD FOR
VIRGINIA ON WEDENSDAY THE 3^o OF APRILL
i622

PRESENT

Lo: Cauendish.	m ^r Ditchfeild.	m ^r Webb.
S ^r Io: Dauers.	m ^r Edwardē.	m ^r Sparrowe.
m ^r Deputy ffarrar.	m ^r Rogers.	m ^r Mellinge.
m ^r Gibbs.	m ^r Caswell.	m ^r Cuffe.
m ^r Wrote.	m ^r Wiseman.	m ^r Caninge.
m ^r Ro: Smith.	m ^r Iadwin.	with diuers others.
m ^r Tomlins.	m ^r Woodall.	
m ^r Nich ^o ffarrar.	m ^r Geo: Smith.,	
	m ^r Meuerell.	

The Sum̄er Ilandē Court held this Afternoone beinge dissolued and the Virginia Co^t sett m^r Depty signified that vpon a proposiçon for-

¹ A blank space in the manuscript.

merly made, vpon the good successe it pleased God to giue m^r Gookin this last Sumer in transportinge his people and cattle safely to Virginia certen gentlemen of Ireland nowe in Towne beinge much encouraged and not able to stay till next yeare made an offer to vndertake the like performance as m^r Gookin had donn, so as they might knowe and be assured aforehand at what rat℥ they should be able to put of their Cattle in Virginia at their cominge there w^{ch} offer the Court takinge into consideraçon did at length agree that for the better encouragement of such vndertakers they should haue for euery Heifer of our right English breed of twoe yeares old and vpwards deliuered safe and sound in Virginia allowed them there either 130 waight of Tobacco or 11^{li} in money at their elecçon for w^{ch} they should haue the Companies Seale for their security. [346]

And whereas the said vndertakers did likewise make offer to transport out of Ireland 20 or 30 able youthes of 16: or 17 yeares of age to Virginia to be Apprentices for 6 or 7 yeares in the Companies seruice wth 40^s a peece in Apparrell w^{ch} they would deliuer safe in Virginia at the rate of 8^{li} the person in money or a C^{li} waight of Tobacco the Court likinge well of this their offer, are contented vpon Certificate as aforesaid to giue that allowance either in money or Tobacco at their elecçon as is desired.

Vpon notice giuen that one m^r Hawes pretends he hath diuers bills of Exchange remayninge in his hand℥ §of§ good Soñes of money due vnto him from y^e Virginia Companie the Court ~~doth~~ desires that he make his Demaund℥ in writinge and present them on Monday next to m^r Deputy that the next Court may take them into their consideraçon.

AT A COURT HELD FOR VIRGINIA
THE 10TH DAYE OF APRILL 1622

PRESENT

S ^r Io: Dauers.	m ^r Edwardē.	m ^r Woodall.
m ^r Deputy.	m ^r Barbo ^r .	m ^r Iadwin.
m ^r Gibbs.	m ^r Barnard.	m ^r Rogers.
m ^r Wrote.	m ^r Copland.	m ^r Morewood.
m ^r Io: Smith.	m ^r Barkham.	m ^r Harris.
m ^r Ro: Smith.	m ^r Caswell.	m ^r Widdowes.
m ^r Nich ^o ffarrar.	m ^r Robertē.	m ^r Geo: Smith.
m ^r Geo: Mole.	m ^r Meuerell.	m ^r Bull.
	m ^r Mellinge.	m ^r ffoxton.
		m ^r Webbe.
		m ^r Baynham.

Vpon the readinge of a former order of Court declaringe the great hopes the ffrench Vignerons haue conceaued of makinge plenty of good Wyne in Virginia whereof they had already made experiment and sent home a tast by the George nowe returned from thence m^r Deputy acquainted the Court that there was due to the said ffrenchmen for their wages for one whole yeare past the Some of one hundred and odd poundē (as might appeare wth by the Contract made with them vnder the Companies Seale) for w^{ch} money one Bonnell (whome they had authorised to receaue the same) had bin with him earnestly sollicitinge him for it, and therefore moued that seeinge y^e co^mon Stocke was cleane exhausted some course might be thought vpon for their satisfac^on: Wherevpon it beinge taken into [347] considera^on it was at length agreed and ordered that m^r Deputy should be entreated to take vp so much money as would satisfie the said Debt for w^{ch} the Companie haue promised hereby and vndertaken to saue him harmeles ~~from~~ ||by|| the proceed of goods nowe come home, and

at the next Quarter Court order should be taken to secure him for such other moneyes as he hath or shall disburse for the Companies vse.

Herevpon a mo^oon beinge made that forsomuch as priuate Planters receaued equall benifitt by the ffrenchmens skill and instructinge of others in the Arte of plantinge and settinge of Vines and in the mistery of makinge Wyne that they also be ordered to beare part of the charge thereby to ease the Companie w^{ch} mo^oon was well approued of and thought fitt to be remembred in the next generall Ire to y^e Gouvernor whereby it might be proposed vnto them and required of them.

Vpon notice taken of the Companies Treasury exhausted informa^oon was giuen of much money that might be found due to the Companie from Account^t (if their Account^t were duely examined) touchinge w^{ch} a Note was presented in Court ~~touchinge~~ ||of|| diuers moneyes made paid to S^r W^m Garway by the Virginia Companie w^{ch} are not to be found in S^r W^m Garwayes Account^t, w^{ch} note as by the pticulers appeared amounted to no lesse then 433^{li} 17^s 4^d: wherevpon the Court desired the Auditors to take notice thereof and to examine the said Account^t and other like S^omes they shalbe informed of and accordingly to make report vnto the Court.

fforsomuch as the George was nowe returned safe from Virginia confirminge the good newes they had formerly receaued of the safe arriuall of their Shippes and people in Virginia sent this last So^mer: it was nowe thought fitt and resolued accordinge to a mo^oon formerly made to the like effect, that a Sermon should be preached to ~~accept~~ ||expresse|| the Companies thankefulnes vnto God for this his great and extraordinary blessinge: To w^{ch} end the Court entreated m^r Copland beinge present to take the paines to preach the said sermon ~~before~~ §beinge§ a brother of the Companie and one that was well acquainted with the happie successe of their affaires in Virginia this last yeare vpon w^{ch} request m^r Copland was pleased to vndertake it and therevpon two places beinge proposed where this exercise should be p^rformed namely S^t Michaells in Cornehill or Bowe Church it was

by erec^con [348] of hand^e appointed to be in Bowe Church on Wedensday next beinge the 17th Day of this present Moneth of Aprill about 4 of the Clocke in the Afternoone for w^{ch} purpose m^r Carter is appointed to giue notice of the time and place to all the Companie.¹

A request was made in the behalfe of m^r Iohn Berkley M^r of the Iron work^e in Virginia that in respect he had with extraordinary Skill and industrie brought that longe desired worke to so good forwardnes as to vndertake so confidently to make Iron there by Whitsontyde next, as by his owne and m^r Sandys letter appeared, the Companie would please for his better encouragement in so hopefull a worke to supplie him and his people with such prouision as he hath most earnestly desired in his letter, w^{ch} charge he hath promised to repaye againe out of the first fruite of their labo^{rs} w^{ch} request beinge taken into serious considera^con and wthall the benifitt and consequence of so great a worke vnto the whole Plantation and for so much as the Companies Stocke was quite exhausted, the Court againe entreated m^r Deputy as formerly to take vp so much money as might supplie him, for w^{ch} he should be secured as before ~~they~~ hath §bin§ declared.

Whereas m^r Dike was entertayned to be vssher in the free scoole intended in Virginia it was nowe signified that he havinge since shewed a willingnes to resigne that place by reason of some other hopes he had to preferr himself here in England the Co^mittee thought fitt in regard of his longe waitinge and Dependance vpon that imployment to bestowe vpon him 3^{li} to discharge him w^{ch} agreement and allowance this Court did well approue of.

M^r Deputy moued for drawinge vp a Patent for S^r Bowyer Worsly who intended to transport and plant diuers persons in Virginia: Wherevpon the Court ordered a Patent to be made ready for him against the next Quarter Court.

Vpon readinge a lre presented in Court directed to m^r Deputy ffarrar from one m^r Nicho: Hawes signifyinge of two Bills of Exchange made ouer vnto him the said Hawes by m^r Henry Rolfe payable longe

¹ This sermon was printed and is referred to in List of Records, No. 312, page 155, *ante*.

since and sett downe in m^r Essingtons booke as Debt^r of y^e Companies to be paid as moneyes came in, the Court takinge it into consideration and havinge [349] examined the bills and withall beinge certified howe vnduely those debt^r were laid vpon the Companie they willed the messenger that brought the Letter to returne m^r Hawes this aunsw^r followinge that they doe not vnderstand for the present that any such bill was euer accepted and the direc^{on} beinge to S^r Thomas Smith as Treasurer of the Virginia Companie by m^r Peirs who hath Rela^{on} in his imployment there onely ~~for~~ ||to|| the Magazine Company the Virginia Companie are of opinion they are not to be charged directly with any such bill by him.

It was also thought fitt that seeinge m^r Rolfe was so forward to passe his letter of Attorney to m^r Hawes in the behalfe of his Brother for receauinge the said moneyes his brother beinge notwithstandinge indebted to the Companie for moneyes long since due that he should nowe likewise be strictly called vpon and required to paye the same.

M^r Henry Wolstenholme of London gentleman passed ouer three shares of land in Virginia vnto m^r Io: Wolstenholm of London Esquire with the allowance of the Auditors and approba^{on} of this Court.

With like allowance and approba^{on} ffrauncis Carter passed ouer two shares of land in Virginia vnto m^r George Rook^e Cittizen and Lether-seller of London beinge parcell of the later 40 shares assigned vnto him the said ffrauncis Carter by the Right Hono^{ble} the Lady Lawarr.

With like approba^{on} Abrose Wood of Tattingstone in the Countie of Suffolke gentleman by his Assignement vnder his hand and Seale bearinge date the 31 daye of Ianuary last past, passed ouer two shares of land in Virginia vnto Nathaniell Etherington of ffleetstreet in London gent^r. [350]

VIRGINIA COURT HELD THE 8TH OF MAY 1622

PRESENT

S ^r Io: Dauers.	m ^r Widdowes.	m ^r Leigh.
m ^r Dep: ffarrar.	m ^r Robert℄.	m ^r Peirs.
m ^r Io: Wolstenholme.	m ^r Swinhowe.	m ^r Barbo ^r .
m ^r Gibbs.	m ^r Mellinge.	m ^r Geo: Smith.
m ^r Wrote.	m ^r Hackett.	Capt: Tucker.
m ^r Mole.	m ^r Moorer.	m ^r Robert℄.
m ^r Ro: Smith.	m ^r Woodall.	m ^r De Lawne.
m ^r Nicho: ffarrar.	m ^r Newport.	m ^r Moorer.
m ^r Rogers.	m ^r Tomlins.	m ^r Iadwin.
m ^r Copland.	m ^r Barkham.	with diuers others.
m ^r Caswell.	m ^r Wynn.	
m ^r Binge.	m ^r Martin.	

The Court beinge moued to take some order about the Tobacco brought home by the George lately returned from Virginia hauinge entreated m^r Bland m^r Caswell m^r Geo: Smith and m^r Mellinge to take vp out of the Custome howse & to sell and dispose of all the Tobacco come home in the said Shippe aswell from the Colledge Tenant℄ as from the Treasurer and Capt: Nuce or any other way belonginge to the seuerall Companie, they were also entreated to discharge and satisfie aswell the freight of the said Tobacco to m^r Ewens as also the Custome and other charges of it.

And further they were entreated to vse all convenient diligence in the sellinge of the said Tobacco that wthall expediçon money might be made of it the price and manner of Sale was wholly referred to their fidelity and discreçon. And it was by a generall ~~ereceon of hands~~ ||consent|| ordered that out of the proceed of the said Tobacco they should first satisfie themselues for all such charges as they should ~~be at~~ §lay out§ or engage themselues for in this buissines and the

Remainder of money that should arise by the sale of the Tobacco should by m^r Bland m^r Caswell m^r George Smith and m^r Mellinge be paid ouer vnto m^r Deputy ffarrar and m^r Nicho: ffarrar his Brother towardē the payment and satisfyinge of such bondē and Debtē as they haue engaged themselues for vpon the Companies buissines.

M^r Deputy obseruinge some of the Magazine Aduenturers to be nowe present that were not at yesterdayes meetinge in the Afternoone at the end of the Sum̄er Ilands Court when they treated about the Tobacco brought home by m^r Peirce in the Concord ||being|| about—11000 waight [351] w^{ch} he ~~estimated~~ ||esteemed|| would come to about 1700^l he tooke occasion to acquaint them wth what had bin ~~then~~ ordered vizt that they had entreated m^r Bull and m^r Caswell to take vp the said goodē and to cleare the Custome, and hauinge tryed the markettē and vnderstood of the best price that will be giuen for it they are to acquaint the Magazine Aduenturers therewith, and out of the proceed of the said Tobacco it is intended that order shalbe taken for satisfyinge of them the charges they are §at§ or shall stand engaged for, the rest of the mony beinge ordered to be reserued in Cash vntill the said Aduenturers shall appoint when and howe the diuident shalbe made vnto each of them: The Court beinge moued to graunt a Patent §for a pticuler Plantacon§ to m^r Edmond Wynn an auncient Aduenturer gaue order for makeinge it ready against the next Quarter Court.

Vpon informaçon giuen of Iames Hooper §Porter§ his deceitfull dealing wth the Companie in the trust they reposed in him beinge taken with much Tobacco thrust into his hose w^{ch} he had out of the Warehowse, whereby it was suspected he had often vsed this manner of purloyninge, it was agreed and ordered that he should be put out of his place and no longer imployed as their Porter, and for better caution hereafter against the like attempt It is likewise ordered that whomesoeuer shalbe admitted into that place shall giue good security for his faithfull dealinge with the Companie and shall stand aunswearable to make good whatsoeuer he or any other that he shall imploy can be iustly charged with to haue binn imbeselled beside the forfeiture and losse of his owne place ipso facto.

Wherevpon the Companie beinge resolved to choose another in his Roome in regard of the present imployment they had of a Porter to ~~looke vnto~~ ||take vpp|| the Companies good℥ nowe come home a moçon was made in the behalfe of one Robert Peasly who was well knowne to diuers of the Companie to be sufficient for the place and one that proffered good security for his truth vpon w^{ch} good report and promise of Security the Companie haue entertayned the said Robert Peasly for their Porter intendinge to confirme ||the sd place vnto|| him at the next Quarter Court and for his better encouragement haue all thought fitt to allowe him a marke a yeare for his Salary. [352]

Iohn Martin the Persian makinge humble suite for the Companies fauo^r to the ffarmors of his Ma^{ts} Custome to free him from payinge double Custome w^{ch} they required of him beinge a Stranger notwithstandinge he was made a freeman in Virginia by S^r Geo: Yeardley then Gouvernor as by Certificate vnder the Collonies Seale appeared Answere was made touchinge his freedome that none but the Kinge could make him a free denizon of England, and for the Custome demaunded the ffarmors themselues could not nowe remitt in regard they had already entred the parcell into their booke℥ and charged it vpon Account, wherevpon it beinge taken into consideraçon howe he might be releiued, he was at length aduised to petiçon vnto my Lo: T^rear for remittinge the said imposiçon in regard he was a freman of Virginia and intended to returne thither againe wth some servant℥ out of the proceed of that smale parcell of Tobacco he ~~had~~ ||here|| brought ouer to supplie his want℥.

Vpon the humble petiçon of Elizabeth Smalley widdowe it is ordered that shee shall haue the porçon of land that is due vnto her and touchinge her clayme of twoe yoake of Oxen and other Cattle remayninge in Virginia that Shee desires to sell the Court not knowinge of any Cattle that Shee hath there hath giuen her leaue to make what sale of them shee can.

M^r Waterhowse mouinge to carry the Roll℥ of subscription to such lord℥ and others as made question of y^e So^mes they had vnderwritten

beinge longe since and out of ~~ye~~^r §their§ memories the Court gaue order to y^e Secretary to let him haue them as occasion required takinge a note vnder his hand of the deliury of them.

M^r Paulson moued y^t whereas he had aduentured 50^u¹ in y^e old Magazine ioynt Stocke, and cominge to m^r Essington for order to take out his money as others did he Deenied² the same vnlesse he would pay for the transport of two men sent ouer wth m^r Crosse of w^{ch} two men m^r Paulson said the Companie had giuen them their transport in requitall of his paines in y^e settinge out of y^e first two Shippes for y^e Magazine yet neuertheles m^r Peirs not findinge these 2 mens transport^e satisfied by reason y^t Crosse died by y^e way did therefore make stay of his good^e for their said transport but m^r Peirs beinge nowe ~~p~~resent acknowledged he had afterward satisfac^on from m^r Crosse his Executo^{rs}: Wherevpon the Court ordered that m^r Paulson should haue out his Adventure as others had, and for y^e allowance of his two mens transport^e giuen ||him|| he was to make prooffe thereof at the next ||Magazine|| Court. [353]

Vpon the humble peti^on of Vrsula ffrench widdowe a verie poore woman cravinge some allowance toward^e her mayntenance out of Elias Longs estate beinge her Apprentice and nowe imployed in the Companies service in Virginia, the Court hath ordered that it shalbe recomended to the care of the Gouvernor there to cause the said Elias Longe to send her 100 waight of Tobacco as shee desires.

Martha Paules peti^oninge to haue her Tobacco freed of Custome beinge but a smale parcell is willed to repaire to the Customers in whose power it is to releiue her.

Adam Dixon peti^oninge for the remaynder of his wages due vnto him by Contract with the Companie as he pretend^e some 12 yeares since who went with S^r Thomas Dale in his voyadge to Virginia forsomuch as this ~~present~~ ||pretended|| contract was vnknowne to the Company nor did it any way appeare likely to be true he was willed

¹ Written over the number "30" by the reviewer.

² Written over the word "deemed."

to come better prepared with his proufes, there beinge some in Court that reported he was longe agoe satisfied.

The Aunsweare of Captaine Iohn Martin to a former order of Court graunted vpon the petiçon of the widdowe read beinge nowe presented and read, forsomuch as the said Aunsweare seemed to contradict a former Letter w^{ch} he had sent vnto the said widdowe from Iames Towne in Virginia dated the 19th of Nouember i610 wherein he promised to giue her satisfacōn for her Husband goodē to the full value w^{ch} were prized at 5^{li} 19^s as he informeth by his said letter the Court hath ordered that a Coppie of the said letter together with his aunsweare vnder the attest of the Secretaries hand shalbe sent to the Gouvernor and Counsell of Virginia whoe are entreated to examine this perticuler buissines and therein to proceed accordinge to equity and good conscience for the releife of the peticone^r.

M^r Clement Wilmer of Stratford Bowe vpon request passed his two shares of land in Virginia to George Wilmer of the said place with the allowance of the Auditors and approbaōn of this Court.

ffrauncis Carter also passed one share of land in Virginia to m^r Henry Wentworth of London Skinner parcell of the later 40 assigned vnto him by the Right Hono^{ble} the Lady Lawarr. [354]

M^r Staples Minister recomended by m^r Abra: Chamberlen and by Certificate vnder the handē of well neare 20 Diuines continuinge still his earnest request vnto the Companie for some allowance towardē the transport and furnishinge out of himselfe his wife and Child to Virginia where he hath a Brother lyvinge w^{ch} moues him the rather to goe, for w^{ch} allowance he is contented to put himselfe wholly [upon] their free bounty, the Court takinge it into consideraōn did at length agree that although their Stocke was spent they would strayne themselves to giue him 20^{li} to pay for ~~their~~ ||his|| said passage and to furnish him with necessaries and for that it was moued that he might giue some testimony of his sufficiencie by a Sermon as is vsuall he was desired to preach vpon sonday come sennight in the Afternoone in S^t Seyths Church w^{ch} he promised to performe.

M^r Deputy havinge acquainted the Court with the notice that Capt: Martin had giuen him by two seuerall letters of a meetinge at S^r Tho: Smiths of certaine Hono^{ble} Lords and Knighte appointed Co^mittees by his Ma^{tie} to take hearing of y^e difference between him and the Virginia Companie, it beinge nowe taken into ~~considera^{cion}~~ & considera^{cion} after some delibera^{cion} had therevpon the Court entreated m^r Deputy m^r Tomlins m^r Wolstenholme m^r Iermynn m^r Nicho: ffarrar m^r Caswell m^r Roberts or any 3 of them to repaire to S^r Tho: Smiths howse to morrowe about two of the Clocke in the Afternoone accordinge to the appointment to attend the said Co^mittee and havinge vnderstood Capt: Martins propositions and matter of charge they ~~after~~ ||are|| to desire a Coppie thereof, and acquaint the Company therewth from whome they shall receaue as is hoped a satisfactory Aunswere. []¹

Memorandū that wee Edward Waterhouse and Edward Collingwood Secretaries of the Companies for Virginia and the Sumer Ilands haue examined and compared the Booke going before conteyning one hundred, seaventy, seven leaues from Page 1 to Page—354 with the originall Booke of Court^e itself: And doe finde this Booke to be a true and pfect Copie of the said originall Courte booke: Savinge that there is here wantinge in the Copie ~~certaine~~ ||of one|| Courte ~~from~~ ||of|| the 20th of May 1620 ~~to~~ and y^e begining of y^e Q^r Crt ||held|| 22th but as farre as is here entred in this Copie, doth truely agree with the originall itself. And to every Page I Edward Collingwood haue sett my hand, and both of vs do hereby testifie as aboue that it is a true Copie. Ian. 28 1623.

EDW: WATERHOUSE. Secrē

ED: COLLINGWOOD Secrē

¹ The following certification is written on an unnumbered page of the manuscript following page 354.

Author _____
The records of the Virginia
Title _____ Co. of London
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